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## OFFICIAL DOCUMENTS

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## OFFICIAL DOCUMENTS

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### CONVENTION BETWEEN THE UNITED KINGDOM AND DENMARK RESPECTING COMPENSATION TO WORKMEN FOR ACCIDENTS ARISING OUT OF THEIR EMPLOYMENT<sup>1</sup>

*Signed at London, November 18, 1925; ratifications exchanged April 5, 1927*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Denmark and Iceland, equally desirous that their respective subjects shall enjoy reciprocally the benefits of the legislation in force in Great Britain and Northern Ireland, and Denmark, respectively, in regard to compensation for accidents arising out of their employment, have resolved to conclude to that effect a convention, and have named as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: The Right Honourable Joseph Austen Chamberlain, M.P., His Majesty's Principal Secretary of State for Foreign Affairs; and

His Majesty the King of Denmark and Iceland: Count Preben Ahlefeldt-Laurvig, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at London;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows:

#### ARTICLE 1

Workmen being British subjects who meet with accidents arising out of their employment in Denmark, and any persons, being British subjects who are entitled to claim through or have rights derivable from such workmen, shall enjoy the benefits of the compensation and guarantees secured to Danish subjects by the legislation in force in Denmark in regard to the liability of employers and their insurers in respect of such accidents, supplemented as specified in Article 4.

Reciprocally, workmen being Danish subjects who meet with accidents arising out of their employment in Great Britain or Northern Ireland, and any persons being Danish subjects who are entitled to claim through or have rights derivable from such workmen, shall enjoy the benefits of the compensation and guarantees secured to British subjects by the legislation in force in Great Britain and Northern Ireland in regard to compensation for such accidents, supplemented as specified in Article 4.

<sup>1</sup> British Treaty Series, No. 12 (1927).

**ARTICLE 2**

The British and Danish authorities will reciprocally lend their good offices to facilitate the administration of their respective laws as aforesaid.

**ARTICLE 3**

The present convention shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

It shall be applicable in Denmark and in Great Britain and Northern Ireland to all accidents happening after one month from the time of its publication in the two countries in the manner prescribed by their respective laws, and it shall remain binding until the expiration of one year from the date on which it shall have been denounced by one or other of the two contracting parties.

**ARTICLE 4**

Nevertheless, the ratification mentioned in the preceding article shall not take place till the legislation at present in force in Great Britain and Northern Ireland in regard to workmen's compensation has been supplemented, so far as concerns accidents to Danish subjects arising out of their employment as workmen, by arrangements to the following effect:

(a) That the compensation payable shall in every case be fixed by an award of the County Court.

(b) That the County Courts shall, for the purpose of proceedings by or on behalf of dependants of Danish workmen under "The Workmen's Compensation Act, 1906," and amending Acts, such dependants being resident in Denmark, have power to issue letters of request for the examination of witnesses resident in Denmark, and that the statements of such witnesses made and authenticated as hereinafter provided in answer to any such letter of request shall be admissible in evidence in lieu of oral testimony by such witnesses.

(c) That the County Courts shall, for the purposes of claims to compensation by the dependants of British workmen under the Danish Accident Insurance Law, have power to examine on oath witnesses within the jurisdiction of such courts and to reduce to writing and duly authenticate for transmission to Denmark the statements of witnesses so examined.

(d) That in respect of acts done by the county court in pursuance of the legislation in regard to workmen's compensation as well as the execution of the present convention, workmen who are Danish subjects, or their dependants, shall be exempt from court fees in respect of all proceedings under the Workmen's Compensation Acts by way of arbitration or otherwise in connection with the settlement of any claim or other matter arising under those Acts.

(e) That at the beginning of each year His Britannic Majesty's Principal Secretary of State for the Home Department will send to the Ministry of

Social Affairs in Denmark a record of all judicial decisions given in the course of the preceding year under the legislation in regard to workmen's compensation in the case of Danish subjects injured by accident in Great Britain or Northern Ireland.

And reciprocally, before such ratification as aforesaid, the Danish Government will, so far as concerns accidents to British subjects within the Danish Accident Insurance Law, make all such arrangements as are necessary to ensure:

(f) That in proceedings for compensation under the Danish Accident Insurance Law by or on behalf of defendants of British workmen, such defendants being resident in Great Britain or Northern Ireland, statements of witnesses resident in Great Britain or Northern Ireland made on oath and reduced to writing in the County Court shall in Denmark be admissible as evidence of the facts therein contained.

(g) That letters of request issued by a County Court in Great Britain or Northern Ireland shall be received by the Danish Workers' Insurance Council and by them transmitted to the appropriate court of first instance, by which tribunal the necessary examination of witnesses will be made on oath and the statements of such witnesses will be authenticated for transmission to the County Court by which the letter of request was issued.

(h) That in respect of all acts done by the Danish Workers' Insurance Council in pursuance of the legislation in regard to accident insurance, as well as in the execution of the present convention, workmen who are British subjects, or their defendants, shall be exempt from fees in respect of the examination of cases by the aforesaid council and the submission of any such cases to the Ministry of Social Affairs.

(i) That at the beginning of each year the Danish Government will cause to be sent to His Britannic Majesty's Principal Secretary of State for the Home Department a record of all cases dealt with during the course of the preceding year under the legislation in regard to accident insurance in the case of British subjects injured by accident in Denmark.

#### ARTICLE 5

The present convention shall not be applicable in respect of laws that are, or may at any future time be, in force in Great Britain and Northern Ireland and Denmark, relating to increased compensation for seamen in cases of accidents resulting from a state of war.

In witness whereof the above-mentioned plenipotentiaries have signed the present convention and have affixed thereto their seals.

Done in London in duplicate the 18th November, 1925, in English and Danish, both texts being authentic.

(SEAL) AUSTEN CHAMBERLAIN.

(SEAL) P. AHLEFELDT-LAURVIG.

AGREEMENT BETWEEN THE UNITED STATES AND FRANCE FOR THE ACQUISITION  
OF SITES FOR MONUMENTS WHICH THE AMERICAN BATTLE MONU-  
MENTS COMMISSION IS TO ERECT IN FRANCE<sup>1</sup>

*Signed August 29, 1927*

This agreement made on August 29, 1927, by and between the Government of the United States of America, represented by John J. Pershing, General of the Armies, Chairman of the American Battle Monuments Commission, party of the first part, and the Government of the French Republic, represented by Mr. Anne-Marie Louis de Sartiges, that Government's Chargé d'Affaires ad interim at Washington, party of the second part, for the acquisition by the Government of the United States of lands intended as sites for monuments which the American Battle Monuments Commission is to erect in France, in accordance with and by the authority of the Act of Congress of the United States approved March 4, 1923, entitled "An Act for the Creation of an American Battle Monuments Commission to Erect Suitable Memorials Commemorating the Services of the American Soldiers in Europe, and for Other Purposes," witnesses that—

ARTICLE I

The French Government will acquire the real estate of which the American Battle Monuments Commission whose office is at Paris, rue Molitor, 20, will have become proprietor by virtue of the authority for this purpose which it has received from the United States Government, in view of the erection of the American commemorative monuments above mentioned.

This acquisition by the French Government from the said Commission will be accomplished for the sole price of one franc for the totality of the real estate necessary for each monument.

ARTICLE II

When the land necessary for the erection of the American memorials in question has not been acquired by the American Battle Monuments Commission and if the United States Government expresses the wish, the French Government will proceed to acquire the said land if necessary and if such acquisition is possible; it being understood that in the case where certain organizations such as Communes or Departments do not consent to the transfer of their land, all necessary steps will be diligently pursued by the French Government in order to obtain the concession of the lots necessary to the end in view.

ARTICLE III

Before the French Government will undertake any procedure of acquisition or of concession of land necessary to the erection of any of the me-

<sup>1</sup> U. S. Treaty Series, No. 757.

morials in question, the authorization to erect such monument must have been given by decree in each separate case, in conformity with the procedure laid down by the Decree of November 18, 1922, and upon a request which will have been previously made by the Government of the United States.

#### ARTICLE IV

The negotiations provided for in Article 2, which are to be undertaken by the French Government with the owners or tenants of the lands above mentioned for the normal transfer of the said land will be pursued by a representative of the French Government (Ministry of War—appropriate Engineer District) accompanied by a representative of the Government of the United States. The normal agreements signed by the owners or tenants and bearing the written approval of the representative of the United States Government will plainly state that the formalities of acquisition and of payments will be undertaken by the French Government.

#### ARTICLE V

The French Government will grant without cost and in perpetuity to the Government of the United States the use and free disposal of the lands intended for the erection of the said monuments whether they belong at the present moment to the French Government or whether they have been acquired in conformity with the provisions of Articles 1 and 2 above mentioned. The land of which the French Government is able to obtain only a concession for a limited period will be conceded by it for the same period to the Government of the United States, but in this case, the representative appointed by the latter Government must have given his approval before the French Government definitely acquires the concession.

These measures, however, can never entail the prohibition of any undertakings of public works for which the public necessity will have been declared and of which the site might concern directly or not the land transferred. In this case a representative of the Government of the United States will be called upon to coöperate with the French Government in order to determine the best measures to be taken so far as the monuments are concerned.

#### ARTICLE VI

In the case where the Government of the United States might later decide either not to carry out a project for the erection of a monument or to remove a monument once erected, such land as has been acquired for this purpose under the present agreement and which would then be released will be sold by the French Government and the net proceeds of such land will be paid by the French Government to that of the United States.

#### ARTICLE VII

The land acquired in conformity with the provisions of this agreement will be exempted from all rates and taxes in conformity with Articles 105 and 106 of the Law of 3 Frimaire An VII and with the Decree of August 11, 1808.

By application of the provisions of Article 12 of the Finance Law of June 30, 1923, exemption will be granted from all taxes for stamps, registration, or mortgages, etc., for the various documents established and conveyances accomplished by the French Government having in view the acquisition or the concession of land necessary for the erection of the memorials in question.

#### ARTICLE VIII

The French Government will settle all difficulties which may arise with adjoining owners or tenants; it will institute and pursue any suit or sustain any defense concerning the land acquired which may thereafter appear necessary. The cost resulting therefrom being repaid to it by the Government of the United States.

It is agreed, however, that payment of damages caused by the personnel appointed by the Government of the United States for the maintenance and guarding of the American memorials or by the material belonging to it will be undertaken by the representative appointed by that Government.

#### ARTICLE IX

The Government of the United States will repay to the French Government the amounts which the latter will have paid, other than those provided for in paragraph 2 of Article 1, both for actual acquisitions or concessions (indemnities to owners or tenants of the land occupied) and for all other expenses occasioned by the said acquisitions or concessions.

#### ARTICLE X

In no case will the debts of the Government of the United States towards the French Government on account of the purchase of land necessary for the American memorials be susceptible of cancellation against any debt whatever of the French Government towards the Government of the United States.

#### ARTICLE XI

Repayments to the French Government will be effected as soon as possible by checks, and will provide for a receipt in the following form:

"The French Government acknowledges to have received from the Government of the United States the sum of . . . for the purchase of the lands described hereafter, necessary for the erection of the American commemorative monument at . . . purchase accomplished in accordance with the agreement dated . . . of which a copy is attached hereto.

"Description of the property: . . .

## ARTICLE XII

Payments for acquisitions made under the provisions of Article 1 above mentioned will be made by checks.

They will provide for receipts in the following form:

"The Government of the United States acknowledges that the American Battle Monuments Commission has received from the French Government the sum of one franc for the purchase of land described hereafter, necessary for the erection of the American commemorative monument at . . . this acquisition accomplished in accordance with the agreement dated . . . of which a copy is attached hereto.

"Description of the property: . . .

In witness whereof, the date, month and year, above mentioned, this agreement has been signed in four copies, each copy having the same value and effect as an original, by the Government of the United States represented by John J. Pershing, General of the Armies, Chairman of the American Battle Monuments Commission, and by the French Government represented by Mr. Anne-Marie Louis de Sartiges, that Government's Chargé d'Affaires ad interim at Washington.

JOHN J. PERSHING.  
SARTIGES.

NOTES EXCHANGED BETWEEN THE AMERICAN AMBASSADOR IN LONDON AND  
THE BRITISH FOREIGN OFFICE REGARDING THE RELEASES OF PROPERTY  
SEIZED UNDER THE AMERICAN AND BRITISH TRADING WITH THE  
ENEMY ACTS<sup>1</sup>

LONDON,  
*January 4, 1927.*

The Right Honorable Sir AUSTEN CHAMBERLAIN, K.G., M.P.,  
Etc., etc., etc.

Sir:

In connection with the recent discussions between the British Administrator of German Property and Mr. Ralph Hill of the Department of State, with a view to reaching an arrangement between the Governments of Great Britain and the United States for the reciprocal release by them of property sequestered in both countries under Trading with the Enemy Acts, I have the honor to enclose a memorandum indicating the position of the American Government with regard to the release of property to British subjects held by the Alien Property Custodian under the American Trading with the Enemy Act, and of its understanding of the position of the British Government with regard to the release to American citizens of property held by the British Administrator of German Property.

I shall appreciate it if you will be good enough to advise me whether the

<sup>1</sup> Press notice of the Dept. of State, Aug. 13, 1927.

understanding of the competent American authorities, as set forth in the attached memorandum, concerning the position of the British authorities on the subject of reciprocity in connection with the administration of the British Trading with the Enemy Act is correct, and, if so, whether on the basis of his understanding of the position of the American Government the British Administrator is prepared to release to American citizens property held by him in cases falling within the limits outlined in the memorandum.

On behalf of my government I am directed to state that the competent American authorities are prepared to assure reciprocal treatment (as defined in the memorandum) to British subjects whose property is held by the Alien Property Custodian.

I have the honor to be, etc.,

(Signed) F. A. STERLING,  
*Chargé d'Affaires ad interim.*

#### ENCLOSURE

#### MEMORANDUM CONCERNING THE RECIPROCAL RELEASE BY THE BRITISH AND AMERICAN GOVERNMENTS OF PROPERTY SEQUESTRATED IN BOTH COUNTRIES UNDER TRADING WITH THE ENEMY ACTS

The following is a statement of the position of the American Government in regard to the release to British subjects of property held by the Alien Property Custodian under the Trading with the Enemy Act, and of its understanding of the position of the British authorities in regard to the release to American citizens of property held by the British Administrator of German Property.

##### 1. MARRIED WOMEN CASES

###### A. Position of the American Government

Section 9b2 of the Trading with the Enemy Act as amended, authorizes the return to a woman

(a) who, at the time of her marriage, was a subject or citizen of a nation which had remained neutral in the war, or of a nation which was associated with the United States in the prosecution of said war, and

(b) who, prior to April 6, 1917, intermarried with a subject or citizen of Germany or Austria Hungary.

of property acquired

(a) from whatever source prior to January 1, 1917,

(b) from non-enemy sources at any time, whether or not such woman reacquired, prior to or since January 10, 1920, the nationality which she had at the time of her marriage to a German or Austro-Hungarian national.

Claims of British women who married enemies prior to the war and who reacquired British nationality on or before June 1, 1926, will be allowed.

The foregoing is conditional on reciprocal rights being extended to citizens of the United States.

*B. Position of the British Government*

Property will be returned to a native born American woman who had married a subject of a former enemy state and had reacquired American citizenship, either prior to or since January 10, 1920, but not later than June 1, 1926.

This does not apply to property of enemy origin, the transfer of which was illegal after the outbreak of war under the British Trading with the Enemy Act.

This procedure moreover can only apply in the case of property which has not already been liquidated or credited to an ex-enemy power or been so applied as to put it out of the power of the British Government to release it.

**2. DEBT CLAIMS**

*A. Position of the American Government*

The American Trading with the Enemy Act authorizes on the basis of reciprocity the payment from sequestered property of debts owing to and owned by British claimants prior to the passage of the original Act, provided such debt, in the nature of a pledge or lien, arose in reference to the money or other property held by the Alien Property Custodian or Treasurer of the United States.

*B. Position of the British Government*

In all cases where enemy businesses, whether conducted by corporation, partnership, or individual concerns have been liquidated in Great Britain under war legislation, the claims of American creditors, wherever resident, have been treated on an equal footing with those of British creditors.

**3. SHARES OF STOCK IN DEPOT ACCOUNT OF GERMAN BANKS**

*A. Position of the American Government*

No distinction is made between the claims of British or American citizens with respect to claims under this category. The American authorities take the position that it is not sufficient for a claimant to allege that he had a certain number of shares of stock. If he cannot give the numbers of the certificates of such shares, he should furnish other proof sufficient to identify the particular property from that class with which it had become commingled. However, it is not necessarily incumbent upon the claimant to give the actual numbers of the shares so held.

*B. Position of the British Government*

Upon proof of any American allied or neutral subject that he is absolutely entitled as between himself and the German bank or other enemy to any particular shares, a release would be made; further, even in cases where the applicant is unable to identify the actual number of his particular shares,

and can only establish that a certain number of the shares held in depot had been held on his account, he would also be entitled to release, subject, however, to a *pro rata* reduction in the event of the depot being short.

#### 4. CORPORATIONS

##### A. *Position of the American Government*

The return is permitted of the assets of a corporation in the following cases:

1. Provided the corporation (a) was not incorporated in enemy countries, *i.e.*, Germany, Austria or Hungary; (b) did not do business within enemy territory during the war; (c) was not declared an enemy by presidential proclamation, regardless of the nationality of the owners of the stock.
2. Provided (a) the corporation was not incorporated in any enemy country, *i.e.*, Germany, Austria, or Hungary; (b) more than 50% of the capital stock of the corporation was owned by non-enemies at the time of the seizure of such assets by the Alien Property Custodian, regardless of the fact that such corporation may have been an enemy by reason of doing business within enemy territory or may have been declared an enemy by presidential proclamation.

##### B. *Position of the British Government*

Under British law a corporation incorporated and having its seat in Germany is considered a German national irrespective of the nationality of any or all of its stockholders. A corporation incorporated and having its seat outside of enemy territory irrespective of the nationality of its stockholders is considered a non-enemy national.

FOREIGN OFFICE, S. W. 1,  
23rd February, 1927.

His Excellency The Honourable ALANSON B. HOUGHTON,

Etc., etc., etc.

Your Excellency,

With reference to the note which the *Chargé d'Affaires* of the United States was so good as to address to me under date of January 4th on the subject of the reciprocal release by His Majesty's Government in Great Britain and the Government of the United States of properties sequestered in both countries under the Trading with the Enemy Acts, I have the honour to state that the memorandum enclosed in that note sets out accurately the position of His Majesty's Government in regard to the matters referred to therein, subject to the following slight amendments:

On page 2 of the memorandum, line 11, "The British Trading with the Enemy Act" should read "The British Trading with the Enemy Acts."

On page 3 of the memorandum in the third paragraph marked "B. Position of the British Government" the word "number" should be

"numbers," the question involved being the numbers of the certificates of the particular shares referred to.

2. In so far as the memorandum refers to questions of release, His Majesty's Government in Great Britain are prepared to carry out releases in the cases referred to therein, but portions of the memorandum appear to be inapplicable to release questions, notably paragraph 2 B, where it is a question of payment of American creditors, and paragraph 4 B, where the position of His Majesty's Government is defined and is governed by decisions of the courts and of the Mixed Arbitral Tribunals.

3. I beg leave to state that the position of His Majesty's Government on the subject of reciprocity in connection with the British Trading with the Enemy Acts and the Treaties of Peace is accurately defined in the memorandum enclosed in Mr. Sterling's note under reference (subject to the above mentioned slight amendments) and that so far as the question of property capable of release is involved they are prepared, on being granted reciprocal treatment by the Government of the United States within the terms of the memorandum, to release such property as is covered by the terms of the understanding and on the conditions stated therein.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

(*For the Secretary of State*),  
(Signed) ROBERT VANSITTART.

CONVENTION BETWEEN THE UNITED STATES AND MEXICO EXTENDING DURATION OF THE GENERAL CLAIMS COMMISSION PROVIDED FOR IN CONVENTION OF SEPTEMBER 8, 1923<sup>1</sup>

*Signed at Washington, August 16, 1927; ratifications exchanged October 12, 1927*

Whereas a convention was signed on September 8, 1923, between the United States of America and the United Mexican States for the settlement and amicable adjustment of certain claims therein defined; and

Whereas under Article VI of said convention the Commission constituted pursuant thereto is bound to hear, examine and decide within three years from the date of its first meeting all the claims filed with it, except as provided in Article VII; and

Whereas it now appears that the said Commission cannot hear, examine and decide such claims within the time limit thus fixed;

The President of the United States of America and the President of the United Mexican States are desirous that the time originally fixed for the duration of the said Commission should be extended, and to this end have named as their respective plenipotentiaries, that is to say:

<sup>1</sup> U. S. Treaty Series, No. 758.

The President of the United States of America, Honorable Frank B. Kellogg, Secretary of State of the United States; and

The President of the United Mexican States, His Excellency Señor Don Manuel C. Téllez, Ambassador Extraordinary and Plenipotentiary of the United Mexican States at Washington;

Who, after having communicated to each other their respective full powers found in good and due form, have agreed upon the following articles:

#### ARTICLE I

The high contracting parties agree that the term assigned by Article VI of the convention of September 8, 1923, for the hearing, examination and decision of claims for loss or damage accruing prior to September 8, 1923, shall be and the same hereby is extended for a time not exceeding two years from August 30, 1927, the day when, pursuant to the provisions of the said Article VI, the functions of the said Commission would terminate in respect of such claims; and that during such extended term the Commission shall also be bound to hear, examine and decide all claims for loss or damage accruing between September 8, 1923, and August 30, 1927, inclusive, and filed with the Commission not later than August 30, 1927.

It is agreed that nothing contained in this article shall in any wise alter or extend the time originally fixed in the said Convention of September 8, 1923, for the presentation of claims to the Commission, or confer upon the Commission any jurisdiction over any claim for loss or damage accruing subsequent to August 30, 1927.

#### ARTICLE II

The present convention shall be ratified and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof the above-mentioned plenipotentiaries have signed the same and affixed their respective seals.

Done in duplicate at the City of Washington, in the English and Spanish languages, this sixteenth day of August in the year one thousand nine hundred and twenty-seven.

FRANK B. KELLOGG [SEAL]  
MANUEL C. TÉLLEZ [SEAL]

TREATY BETWEEN THE UNITED KINGDOM AND SIAM FOR THE REVISION  
OF THEIR MUTUAL TREATY ARRANGEMENTS AND PROTOCOL  
CONCERNING JURISDICTION APPLICABLE IN SIAM  
TO BRITISH SUBJECTS, ETC.<sup>1</sup>

*Signed at London, July 14, 1925; ratifications exchanged, March 30, 1926.*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India,

<sup>1</sup> British Treaty Series No. 7 (1926). Cmd. 2642.

and His Majesty the King of Siam, being desirous of maintaining and strengthening the relations of friendship which happily exist between them, have resolved to proceed to a revision of their mutual treaty arrangements, and have for that purpose named as their plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: The Right Honourable Joseph Austen Chamberlain, a Member of Parliament, His Majesty's Principal Secretary of State for Foreign Affairs; and

His Majesty the King of Siam: Phya Prabha Karawongse, His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Britannic Majesty;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

#### ARTICLE 1

His Britannic Majesty recognises that the principle of national autonomy shall apply to the Kingdom of Siam in all that pertains to the imposition of customs duties on the importation and exportation of merchandise, to drawbacks and to transit and all other taxes and impositions; and, subject to the condition of equality of treatment with other nations in these respects, His Britannic Majesty agrees to assent to the imposition in Siam of customs duties higher than those established by existing treaties; on the further condition, however, that all other nations entitled to claim the benefit of special rates of customs duties in Siam assent to such higher duties freely and without the requirement of any compensatory benefit or privilege.

#### ARTICLE 2

The subjects of each of the high contracting parties shall have free access to the courts of justice of the other in pursuit and defence of their rights; they shall be at liberty, equally with native subjects and with the subjects or citizens of the most favoured nation, to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such courts. There shall be no conditions or requirements imposed upon British subjects in connection with such access to the courts of justice in Siam, which do not apply to native subjects or to the subjects or citizens of the most favoured nation.

#### ARTICLE 3

The subjects of each of the high contracting parties shall be entitled in the territories of the other, provided that they comply with the laws and regulations in force, to engage in religious and charitable work, to open and conduct educational establishments, and to do anything incidental to or necessary for those purposes, upon the same terms as native subjects.

The subjects of each of the high contracting parties shall enjoy in the

territories of the other entire liberty of conscience, and, subject to the laws and regulations in force, shall enjoy the right of private and public exercise of their religion.

#### ARTICLE 4

The vessels of war of each of the high contracting parties may enter, remain and make repairs in those ports and places of the other to which the vessels of war of other nations are accorded access; they shall there submit to the same regulations and enjoy the same honours, advantages, privileges and exemptions as are now or may hereafter be conceded to the vessels of war of any other nation.

#### ARTICLE 5

From the date of the exchange of ratifications of the present treaty and of the Treaty of Commerce and Navigation between the United Kingdom and Siam, concluded at London on the 14th July, 1925,<sup>2</sup> the following treaties, conventions and agreements between the two high contracting parties shall cease to be binding:

The treaty signed on the 20th June, 1826, together with the additional articles thereto ratified on the 17th January, 1827.

The Treaty of Friendship and Commerce signed at Bangkok on the 18th April, 1855, together with the agreement supplementary thereto, signed at Bangkok on the 13th May, 1856.

The Agreement for Regulating the Traffic in Spirituous Liquors, signed at London on the 6th April, 1883.

The Treaty for the Prevention of Crime and the Promotion of Commerce, signed at Bangkok on the 3rd September, 1883, together with the exchange of notes in 1896 extending the operation of that treaty in Siam.

The treaty concerning certain boundaries and the jurisdiction of Siamese courts, signed at Bangkok on the 10th March, 1909, together with annexes thereto.

Provided, however, that Articles 1, 2, 3 and 4, and Annexes I and III of the treaty signed at Bangkok on the 10th March, 1909, together with all provisions of any treaty in force at the time of the signature of the present treaty, which fix or delimit the boundary between Siam and British possessions or protectorates, shall remain in force.

#### ARTICLE 6

The provisions of the agreement on the registration of British subjects in Siam, signed at Bangkok on the 29th November, 1899, as extended in accordance with the note dated the 3rd October, 1910, from His Royal Highness the Minister for Foreign Affairs of Siam to His Britannic Majesty's Minister at Bangkok, remain in force and shall be applicable for the purposes of the present treaty and of the commercial treaty signed this day, except in

<sup>2</sup> Printed *infra*, p. 18.

so far as Articles 4 and 5 of the said agreement are inconsistent with the terms of the treaties signed this day or of the jurisdiction protocol attached to the present treaty.

The provisions of the said agreement relating to persons of Asiatic descent born within His Majesty's dominions and to their children born in Siam shall respectively extend to persons to whom the said agreement does not apply and who enjoy the protection of His Britannic Majesty by virtue of being citizens of or born in British protectorates, British-protected States, or territories in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, and to the children of such persons.

#### ARTICLE 7

The provisions of the present treaty which apply to subjects of the high contracting parties shall also be applicable to limited liability and other companies, partnerships and associations duly constituted in accordance with the laws of such high contracting parties.

#### ARTICLE 8

The provisions of the present treaty which apply to British subjects shall also be deemed to apply to all persons who both enjoy the protection of His Britannic Majesty and are entitled to registration in Siam in accordance with Article 6 of the present treaty.

#### ARTICLE 9

The stipulations of Articles 2, 3 and 4 of the present treaty shall not be applicable to India or to any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates, unless notice is given by His Britannic Majesty's representative at Bangkok, of the desire of His Britannic Majesty that the said stipulations shall apply to any such territory.

#### ARTICLE 10

The terms of the preceding article relating to India and to His Britannic Majesty's self-governing dominions, colonies, possessions and protectorates shall apply also to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty.

#### ARTICLE 11

The present treaty shall come into effect on the date of the exchange of ratifications, and shall remain in force for ten years from that date.

In case neither of the high contracting parties shall have given notice to the other twelve months before the expiration of the said period of ten years of its intention to terminate the present treaty, it shall remain in force until the expiration of one year from the date on which either of the high contracting parties shall have denounced it.

It is clearly understood, however, that such denunciation shall not have the effect of reviving any of the treaties, conventions, arrangements or agreements abrogated by former treaties or agreements or by Article 5 hereof.

As regards India or any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty, to which the stipulations of Articles 2, 3 and 4 of the present treaty shall have been made applicable under Articles 9 or 10, either of the high contracting parties shall have the right to terminate it separately on giving twelve months' notice to that effect. Such notice, however, cannot be given so as to take effect before the termination of the period of ten years mentioned in the first paragraph of this article except in the case of His Britannic Majesty's self-governing dominions (including territories administered by them under mandate) and the colony of Southern Rhodesia, in respect of which notice of termination may be given by either high contracting party at any time.

#### ARTICLE 12

This treaty shall be ratified and the ratifications thereof shall be exchanged at London as soon as possible.

In witness whereof the respective plenipotentiaries have signed the present treaty, and have thereunto affixed their seals.

Done in duplicate in the English language, at London, the 14th day of July, in the nineteen hundred and twenty-fifth year of the Christian era, corresponding to the 14th day of the 4th month in the 2468th year of the Buddhist era.

(L.S.) AUSTEN CHAMBERLAIN.  
(L.S.) PRABHA KARAVONGS.

#### ANNEX

#### PROTOCOL CONCERNING JURISDICTION APPLICABLE IN THE KINGDOM OF SIAM TO BRITISH SUBJECTS AND OTHERS ENTITLED TO BRITISH PROTECTION

At the moment of proceeding this day to the signature of the general treaty between His Majesty the King of Siam and His Britannic Majesty, the plenipotentiaries of the two high contracting parties have agreed as follows:

#### ARTICLE 1

The system of jurisdiction heretofore established in Siam for British subjects and the privileges, exemptions and immunities now enjoyed by British subjects in Siam as a part of, or appurtenant to the said system, shall absolutely cease and determine on the date of the exchange of ratifications of the above-mentioned treaty, and thereafter all British subjects, corporations, companies and associations, and all British-protected persons in Siam shall be subject to the jurisdiction of the Siamese courts.

**ARTICLE 2**

Until the promulgation and putting into force of all the Siamese codes, namely, the Penal Code, the Civil and Commercial Code, the Codes of Procedure and the Law for Organisation of Courts, and for a period of five years thereafter, but no longer, His Britannic Majesty, through his diplomatic and consular officials in Siam, whenever in his discretion he deems it proper so to do in the interest of justice, may, by means of a written requisition addressed to the judge or judges of the court in which such case is pending, evoke any case pending in any Siamese court, except the Supreme or Dika Court, in which a British subject, corporation, company or association, or a British-protected person is defendant or accused.

Such case shall then be transferred to the said diplomatic or consular official for adjudication, and the jurisdiction of the Siamese courts over such case shall thereupon cease. Any case so evoked shall be disposed of by the said diplomatic or consular official in accordance with English law, except that as to all matters coming within the scope of codes or laws of the Kingdom of Siam regularly promulgated and in force, the texts of which have been communicated to the British Legation in Bangkok, the rights and liabilities of the parties shall be determined by Siamese law.

For the purpose of trying such cases and of executing any judgments which may be rendered therein, the jurisdiction of the said diplomatic and consular officials in Siam is continued.

Should His Britannic Majesty perceive, within a reasonable time after the promulgation thereof, any objection to the said codes, namely, the Penal Code, the Civil and Commercial Code, the Codes of Procedure and the Law for Organisation of Courts, the Siamese Government will endeavour to take such objections into account.

**ARTICLE 3**

Appeals from judgments of courts of first instance in cases to which British subjects, corporations, companies or associations, or British-protected persons may be parties shall be adjudged by the Court of Appeal at Bangkok.

An appeal on a question of law shall lie from the Court of Appeal at Bangkok to the Supreme or Dika Court.

A British subject, corporation, company or association, or British-protected person, who is defendant or accused in any case arising in the provinces, may apply for a change of venue, and should the court consider such change desirable the trial shall take place either at Bangkok or before the judge in whose court the case would be tried at Bangkok.

The provisions of this article shall remain in force so long as the right of evocation continues to exist in accordance with Article 2.

**ARTICLE 4**

In order to prevent difficulties which may arise from the transfer of jurisdiction contemplated by the present protocol, it is agreed as follows:

- (a) All cases instituted subsequently to the date of the exchange of ratifications of the above-mentioned treaty shall be entered and decided in the Siamese courts, whether the cause of action arose before or after the date of said exchange of ratifications.
- (b) All cases pending before the diplomatic and consular officials of His Britannic Majesty in Siam on the said date shall take their usual course before such officials until such cases have been finally disposed of, and the jurisdiction of the said diplomatic and consular officials shall remain in full force for this purpose.

In connection with any case coming before the said diplomatic or consular officials under clause (b) of this article, or which may be evoked by the said officials under Article 2, the Siamese authorities shall upon request by such diplomatic or consular officials lend their assistance in all matters pertaining to the case.

In witness whereof the undersigned plenipotentiaries have signed the present protocol and affixed thereto their seals.

(L.S.) AUSTEN CHAMBERLAIN.  
(L.S.) PRABHA KARAVONGS.

**TREATY OF COMMERCE AND NAVIGATION BETWEEN THE UNITED KINGDOM  
AND SIAM<sup>1</sup>**

*Signed at London, July 14, 1925; ratifications exchanged at London, March 30,  
1926*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Siam, being desirous of facilitating and extending the commercial relations already existing between their respective countries, have determined to conclude a treaty of commerce and navigation with this object, and have appointed as their plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: The Right Honourable Joseph Austen Chamberlain, a Member of Parliament, His Majesty's Principal Secretary of State for Foreign Affairs; and

His Majesty the King of Siam: Phya Prabha Karawongse, His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Britannic Majesty;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

**ARTICLE 1**

There shall be between the territories of the two contracting parties reciprocal freedom of commerce and navigation.

<sup>1</sup>British Treaty Series No. 8 (1926). Cmd. 2643.

The subjects of each of the two contracting parties, upon conforming themselves to the laws and regulations applicable generally to native subjects, shall have liberty freely and securely to come, with their ships and cargoes, to all places and ports in the territories of the other to which subjects of that contracting party are, or may be, permitted to come, and shall enjoy the same rights, privileges, liberties, favours, immunities and exemptions in matters of commerce and navigation as are, or may be, enjoyed by subjects of that contracting party.

#### ARTICLE 2

The subjects of either of the two contracting parties shall be entitled to enter, travel and reside in the territories of the other so long as they satisfy and observe the conditions and regulations applicable to the entry, travelling and residence of all foreigners.

#### ARTICLE 3

The dwellings, warehouses, factories and shops and all other property of the subjects of each of the two contracting parties in the territories of the other, and all premises appertaining thereto, used for purposes of residence or commerce, shall be respected. Except under the conditions and with the forms prescribed by the laws, ordinances and regulations for native subjects or for the subjects or citizens of the most favoured foreign country, no domiciliary visit shall be instituted and no search of any such buildings or premises be carried out, nor shall books, papers or accounts be examined or inspected.

#### ARTICLE 4

In so far as taxes, rates, customs duties, imposts, fees which are substantially taxes and any other similar charges are concerned, the subjects of each of the two contracting parties in the territories of the other shall enjoy, in respect of their persons, their property, rights and interests, and in respect of their commerce, industry, profession, occupation or any other matter, in every way the same treatment as the subjects of that party or the subjects or citizens of the most favoured foreign country.

#### ARTICLE 5

With respect to all forestry undertakings, and to searches for minerals (including oil) and mining operations (including oil wells), in Siam, British subjects and companies, partnerships and associations established in His Britannic Majesty's territories shall be entitled to treatment not less favourable than that which is, or may hereafter be, accorded to Siamese subjects or the subjects or citizens of any other foreign country.

#### ARTICLE 6

The two contracting parties agree that in all matters relating to commercial or industrial pursuits or the exercise of professions or occupations, any

privilege, favour or immunity which either of the two contracting parties has actually granted, or may hereafter grant, to the subjects or citizens of any other foreign country shall be extended, simultaneously and unconditionally, without request and without compensation, to the subjects of the other, it being their intention that the pursuit of commerce and industry in the territories of each of the two contracting parties shall be placed in all respects on the footing of the most favoured nation.

#### ARTICLE 7

The subjects of each of the two contracting parties in the territories of the other shall be at full liberty to acquire and possess every description of property, movable and immovable, which the laws of the other contracting party permit, or shall permit, the subjects or citizens of any other foreign country to acquire and possess. They may dispose of the same by sale, exchange, gift, marriage, testament or in any other manner, or acquire the same by inheritance, under the same conditions as are, or shall be, established with regard to subjects of the other contracting party, or the subjects or citizens of the most favoured foreign country.

They shall not be subjected in any of the cases mentioned in the foregoing paragraph to any taxes, imposts or charges of whatever denomination other or higher than those which are, or shall be, applicable to native subjects, or to the subjects or citizens of the most favoured foreign country.

They shall also be permitted to export their property and their goods in general, and shall not be subjected in these matters to any other restrictions or to any other or higher duties than those to which native subjects or the subjects or citizens of any other foreign country would be liable in similar circumstances.

In all these matters British subjects shall continue to enjoy in Siam the same rights and, subject to the provisions of Articles 4 and 8 of the present treaty, be subject to the same obligations as those which were provided for by Article 6 of the Anglo-Siamese treaty signed at Bangkok on the 10th March, 1909.

#### ARTICLE 8

In all that relates to compulsory military service and to the exercise of compulsory judicial, administrative and municipal functions, the subjects of one of the two contracting parties shall not be accorded in the territories of the other less favourable treatment than that which is, or may be, accorded to subjects or citizens of the most favoured foreign country.

British subjects in Siamese territory shall be exempted from all compulsory military service whatsoever, whether in the army, navy, air force, national guard or militia. They shall similarly be exempted from all forms of compulsory manual labour (except in cases of sudden and unexpected occurrences involving great public danger, or where Siamese law gives the option of

performing such labour in lieu of the payment of taxes) and from the exercise of all compulsory judicial, administrative and municipal functions whatever, as well as from all contributions, whether in money or in kind, imposed as an equivalent for such personal service, and finally from all forced loans, whether in money or in kind, and from all military exactions or contributions.

It is, however, understood that British subjects shall continue as heretofore to be liable to capitation tax.

#### ARTICLE 9

Articles produced or manufactured in the territories of one of the two contracting parties, imported into the territories of the other, from whatever place arriving, shall not be subjected to other or higher duties or charges than those paid on the like articles produced or manufactured in any other foreign country. Nor shall any prohibition or restriction be maintained or imposed on the importation of any article, produced or manufactured in the territories of either of the two contracting parties, into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles produced or manufactured in any other foreign country.

The only exceptions to this general rule shall be in the case of the sanitary or other prohibitions occasioned by the necessity of securing the safety of persons, or the protection of animals or plants against diseases or pests, and of the measures applicable in the territories of either of the two contracting parties with respect to articles enjoying a direct or indirect bounty in the territories of the other contracting party.

#### ARTICLE 10

The following articles manufactured in any of His Britannic Majesty's territories to which this treaty applies, viz., cotton yarns, threads, fabrics and all other manufactures of cotton, iron and steel and manufactures thereof, and machinery and parts thereof, shall not, on importation into Siam, be subjected to any customs duty in excess of 5 per cent. *ad valorem* during the first ten years after this treaty has come into force.

It is understood that the articles to which this provision applies shall be those included in the groups III (1), III (c) and III (g), in Volume I of the Annual Statement of the Trade of the United Kingdom for 1923 compiled in the Statistical Office of the British Customs and Excise Department.

It is further understood that in regard to particular classes of the above-mentioned articles customs duties may be imposed on a specific basis, provided that such specific duties do not in any case exceed in amount the equivalent of 5 per cent. *ad valorem*.

#### ARTICLE 11

Drawback of the full amount of duty shall be allowed upon the exportation from Siam of all goods previously imported into Siam from His Britannic

Majesty's territories which, though landed, have not gone into consumption in Siam, or been subjected there to any process.

Nevertheless, His Britannic Majesty will not claim the advantages of this article in so far as exports of filled gunny bags are concerned, so long as the duty leviable on the importation of gunny bags into Siam from the territories of His Britannic Majesty shall not exceed 1 per cent. *ad valorem*.

#### ARTICLE 12

As soon as possible and in any case within six months of the coming into force of this treaty a supplementary convention shall be concluded between the two contracting parties which shall determine all matters incidental to the application of the duties specified in Articles 10 and 11 of this treaty.

#### ARTICLE 13

Any prohibitions or restrictions, whether by the creation or maintenance of a monopoly or otherwise, which are, or may hereafter be, imposed in Siam on the importation, purchase and sale of arms and ammunition shall not be so framed or administered as to prevent British subjects, firms and companies from obtaining adequate supplies of industrial explosives for use in their industries, it being understood that nothing in this article shall preclude the Siamese Government from enforcing such reasonable regulations as may be required in the interests of public safety.

#### ARTICLE 14

Each of the two contracting parties undertakes to inform the other of its intention to establish any monopoly with a view to securing that the monopoly shall interfere as little as possible with the trade between the territories of the two contracting parties.

In the event of the establishment of any such monopoly, the question of the payment of compensation, and the amount, if any, of such compensation which shall be paid to the subjects or companies, partnerships or associations of one of the two contracting parties established in the territories of the other, shall be settled by mutual agreement between the two contracting parties or by arbitration.

Nothing in this article shall require the payment of compensation in the event of the establishment of a monopoly relating to opium or other drugs included now or hereafter within the scope of the International Opium Agreement and of the International Opium Convention signed at Geneva on the 11th February, 1925, and the 19th February, 1925, respectively.

#### ARTICLE 15

Articles produced or manufactured in the territories of either of the two contracting parties, exported to the territories of the other, shall not be subjected to other or higher duties or charges than those paid on the like

articles exported to any other foreign country. Nor shall any prohibition or restriction be imposed on the exportation of any article from the territories of either of the two contracting parties to the territories of the other which shall not equally extend to the exportation of the like articles to any other foreign country.

Nothing in this article shall apply to any prohibition or restriction imposed on the exportation of opium or other dangerous drugs included within the scope of the International Opium Convention signed at Geneva on the 19th February, 1925.

#### ARTICLE 16

Articles exported from Siam to His Britannic Majesty's territories shall not from the time of production to the date of shipment pay more than one impost, whether this be levied as an inland or transit duty or paid on exportation.

Where the Siamese Government has granted concessions which provide for payments to the government in respect of the product to which the concession relates on the understanding that an inland duty formerly levied should be withdrawn the payments in question shall be held to include an impost for the purpose of this article.

#### ARTICLE 17

Having regard to the provisions of Article 7 of the International Convention relating to the Simplification of Customs Formalities signed at Geneva on the 3rd November, 1923, the two contracting parties agree to take the most appropriate measures by their national legislation and administration both to prevent the arbitrary or unjust application of their laws and regulations with regard to customs and other similar matters, and to ensure redress by administrative, judicial or arbitral procedure for those who have been prejudiced by such abuses.

#### ARTICLE 18

Internal duties levied within the territories of either of the two contracting parties for the benefit of the State or local authorities on goods, the produce or manufacture of the territories of the other party, shall not be other or greater than the duties levied in similar circumstances on the like goods of national origin, provided that in no case shall such duties be more burdensome than the duties levied in similar circumstances on the like goods of any other foreign country.

#### ARTICLE 19

The two contracting parties agree, with respect to the treatment of commercial travellers and samples, to accord to each other all those facilities and privileges which are set out in the International Convention relating to the Simplification of Customs Formalities signed at Geneva on the 3rd November, 1923.

Any further facilities or privileges accorded by either party to any other foreign country in respect of commercial travellers or samples shall be extended unconditionally to the other party.

#### ARTICLE 20

Limited liability and other companies, partnerships and associations formed for the purpose of commerce, insurance, finance, industry, transport or any other business, and established in the territories of either party, shall, provided that they have been duly constituted in accordance with the laws in force in such territories, be entitled, in the territories of the other, to exercise their rights and appear in the courts either as plaintiffs or defendants, subject to the laws of such other party.

Each of the two contracting parties undertakes to place no obstacle in the way of such companies, partnerships and associations which may desire to carry on in its territories, whether through the establishment of branches or otherwise, any description of business which the companies, partnerships and associations of any other foreign country are, or may be, permitted to carry on.

Limited liability and other companies, partnerships and associations of either party shall enjoy in the territories of the other treatment in regard to taxation no less favourable than that accorded to the limited liability and other companies, partnerships and associations of that party.

In no case shall the treatment accorded by either of the two contracting parties to companies, partnerships and associations of the other be less favourable in respect of any matter whatever than that accorded to companies, partnerships and associations of the most favoured foreign country.

#### ARTICLE 21

Each of the two contracting parties shall permit the importation or exportation of all merchandise which may be legally imported or exported, and also the carriage of passengers from or to their respective territories, upon the vessels of the other, and such vessels, their cargoes and passengers shall enjoy the same privileges as, and shall not be subject to any other or higher duties, charges or restrictions than national vessels and their cargoes and passengers, or the vessels of any other foreign country and their cargoes and passengers.

#### ARTICLE 22

In all that regards the stationing, loading and unloading of vessels in the ports, docks, roadsteads and harbours of the territories of the two contracting parties, no privilege or facility shall be granted by either party to vessels of any other foreign country or to national vessels which is not equally granted to vessels of the other party from whatsoever place they may arrive and whatever may be their place of destination.

**ARTICLE 23**

In regard to duties of tonnage, harbour, pilotage, lighthouse, quarantine or other analogous duties or charges of whatever denomination levied in the name or for the profit of the government, public functionaries, private individuals, corporations or establishments of any kind, the vessels of each of the two contracting parties shall enjoy in the ports of the territories of the other treatment at least as favourable as that accorded to national vessels or the vessels of any other foreign country.

**ARTICLE 24**

The provisions of this treaty relating to the mutual concession of national treatment in matters of navigation do not apply to the coasting trade. In respect of the coasting trade, however, as also in respect of all other matters of navigation, the subjects and vessels of each of the contracting parties shall enjoy most-favoured-nation treatment in the territories of the other, in addition to any other advantages that may be accorded by this treaty.

The vessels of either contracting party may, nevertheless, proceed from one port to another port in the territories of the other contracting party, either for the purpose of landing the whole or part of their cargoes or passengers brought from abroad, or of taking on board the whole or part of their cargoes or passengers for a foreign destination.

It is also understood that in the event of the coasting trade of either party being exclusively reserved to national vessels, the vessels of the other party, if engaged in trade to or from places not within the limits of the coasting trade so reserved, shall not be prohibited from the carriage between two ports of the territories of the former party of passengers holding through tickets or merchandise consigned on through bills of lading to or from places not within the above-mentioned limits, and while engaged in such carriage these vessels and their passengers and cargoes shall enjoy the full privileges of this treaty.

**ARTICLE 25**

Any vessels of either of the two contracting parties which may be compelled by stress of weather or by accident to take shelter in a port of the territories of the other shall be at liberty to refit therein, to procure all necessary stores and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his merchandise in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any vessel of one of the two contracting parties shall run aground or be wrecked upon the coasts of the territories of the other, such vessel and all parts thereof and all furniture and appurtenances belonging thereto, and all

goods and merchandise saved therefrom, including any which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked vessel, shall be given up to the owners of such vessel, goods, merchandise, &c., or to their agents, when claimed by them. If there are no such owners or agents on the spot, then the vessel, goods, merchandise, &c., referred to shall, in so far as they are the property of a subject of the second contracting party, be delivered to the consular officer of that contracting party in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of that contracting party, and such consular officer, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck or stranding of a national vessel.

The two contracting parties agree, however, that merchandise saved shall not be subjected to the payment of any customs duty unless cleared for internal consumption.

In the case of a vessel being driven in by stress of weather, run aground or wrecked, the respective consular officer shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorised to interpose in order to afford the necessary assistance to his fellow-countrymen.

#### ARTICLE 26

All vessels which, according to British law, are deemed to be British vessels, and all vessels which, according to Siamese law, are deemed to be Siamese vessels, shall, for the purposes of this treaty, be deemed British or Siamese vessels respectively.

#### ARTICLE 27

It shall be free to each of the two contracting parties to appoint consuls-general, consuls, vice-consuls and consular agents to reside in the towns and ports of the territories of the other to which such representatives of any other nation may be admitted by the respective governments. Such consuls-general, consuls, vice-consuls and consular agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the government to which they are sent.

The consular officers of one of the two contracting parties shall enjoy in the territories of the other the same official rights, privileges and exemptions as are or may be accorded to similar officers of any other foreign country.

#### ARTICLE 28

In the case of the death of a subject of one of the two contracting parties in the territories of the other, leaving kin but without leaving at the place of his decease any person entitled by the laws of his country to take charge of and administer the estate, the competent consular officer of the country to which

the deceased belonged shall, upon fulfilment of the necessary formalities, be empowered to take custody of and administer the estate in the manner and under the limitations prescribed by the law of the country in which the property of the deceased is situated.

It is understood that in all that concerns the administration of the estates of deceased persons, any right, privilege, favour or immunity which either contracting party has actually granted, or may hereafter grant, to the consular officers of any other foreign country shall be extended immediately and unconditionally to the consular officers of the other contracting party.

#### ARTICLE 29

The consular officers of one of the two contracting parties residing in the territories of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of the former party. Provided that this stipulation shall not apply to subjects of the contracting party from whose local authorities assistance is requested.

#### ARTICLE 30

The subjects of each of the two contracting parties shall have in the territories of the other the same rights as subjects of that contracting party in regard to patents for inventions, trade-marks, trade names, designs and copyright in literary and artistic works, upon fulfilment of the formalities prescribed by law.

#### ARTICLE 31

As soon as possible after the preponderating proportion of the imports into Siam is obtained from countries whose subjects or citizens shall have become subject to Siamese law and jurisdiction (even though still enjoying privileges under the right of evocation), the Siamese Government will promulgate and bring into operation laws for the proper regulation of the matters dealt with in Article 30 and will also take the necessary measures for the regulation of merchandise marks by which imported products shall be protected from competition through false marks, false indications of origin, the short reeling of yarns, and the false lapping of piece-goods.

#### ARTICLE 32

It is hereby understood and agreed that none of the stipulations of the present treaty by which Siam grants most-favoured-nation treatment is to be interpreted as granting rights, powers, privileges or immunities arising solely by virtue of the existence of rights of exemption from Siamese jurisdiction, judicial, administrative or fiscal, possessed by other foreign countries.

#### ARTICLE 33

The two contracting parties agree that any dispute that may arise between them as to the proper interpretation or application of any of the provisions of

the present treaty shall, at the request of either party, be referred to arbitration, and both parties hereby undertake to accept as binding the arbitral award.

The court of arbitration to which disputes shall be referred shall be the Permanent Court of International Justice at The Hague, unless in any particular case the two contracting parties agree otherwise.

#### ARTICLE 34

The stipulations of the present treaty shall not be applicable to India or to any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates unless notice is given by His Britannic Majesty's representative at Bangkok of the desire of His Britannic Majesty that the said stipulations shall apply to any such territory.

Nevertheless, goods produced or manufactured in India or in any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates shall enjoy in Siam complete and unconditional most-favoured-nation treatment so long as goods produced or manufactured in Siam are accorded in India, or such self-governing dominion, colony, possession or protectorate, treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

#### ARTICLE 35

The terms of the preceding article relating to India and to His Britannic Majesty's self-governing dominions, colonies, possessions and protectorates shall apply also to any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty.

#### ARTICLE 36

The provisions of the present treaty which apply to British subjects shall also be deemed to apply to all persons who both enjoy the protection of His Britannic Majesty and are entitled to registration in Siam in accordance with Article 6 of the general treaty signed this day.<sup>2</sup>

#### ARTICLE 37

The present treaty shall be ratified and the ratifications shall be exchanged at London as soon as possible. It shall come into force on the same day as the general treaty between the two contracting parties signed this day, and shall be binding during ten years from the date of its coming into force. In case neither of the two contracting parties shall have given notice to the other twelve months before the expiration of the said period of ten years of its intention to terminate the present treaty, it shall remain in force until the expiration of one year from the date on which either of the two contracting parties shall have denounced it.

<sup>2</sup> Printed *supra* p. 12 at p. 14

It is clearly understood that such denunciation shall not have the effect of reviving any of the treaties, conventions, arrangements or agreements abrogated by former treaties or agreements or by Article 5 of the general treaty signed this day.

As regards India or any of His Britannic Majesty's self-governing dominions, colonies, possessions or protectorates, or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Britannic Majesty to which the stipulations of the present treaty shall have been made applicable under Articles 34 and 35 either of the two contracting parties shall have the right to terminate it separately on giving twelve months' notice to that effect. Such notice, however, cannot be given so as to take effect before the termination of the period of ten years mentioned in the first paragraph of this article, except in the case of His Britannic Majesty's self-governing dominions (including territories administered by them under mandate) and the colony of Southern Rhodesia, in respect of which notice of termination may be given by either contracting party at any time.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereto their seals.

Done in duplicate in the English language, at London, the 14th day of July, in the nineteen hundred and twenty-fifth year of the Christian era, corresponding to the 14th day of the 4th month in the 2468th year of the Buddhist era.

(L.S.) AUSTEN CHAMBERLAIN.

(L.S.) PRABHA KARAWONGS.

NOTES EXCHANGED BETWEEN THE UNITED KINGDOM AND SIAM IN CONNECTION  
WITH THE GENERAL AND COMMERCIAL TREATIES BETWEEN THE UNITED  
KINGDOM AND SIAM, SIGNED AT LONDON ON JULY 14, 1925<sup>1</sup>

*London, July 14-September 15, 1925*

No. 1.

*The Siamese Minister to Mr. Austen Chamberlain*

SIAMESE LEGATION, LONDON, July 14, 1925.

SIR:

In signing this day the general and commercial treaties between Great Britain and Siam,<sup>2</sup> I have the honour to assure you, by order of my government, that it is not the present intention of the Royal Siamese Government to impose any new, or increase any existing, export duties on teak, tin or rice.

I have, &c.

PRABHA KARAWONGS.

<sup>1</sup> British Treaty Series No. 9 (1926). Cmd. 2644.

<sup>2</sup> Printed *supra*, pp. 12 and 18.

## No. 2.

*The Siamese Minister to Mr. Austen Chamberlain*

SIAMESE LEGATION, LONDON, July 14, 1925.

SIR:

I have the honour to inform you that, when the time comes for the termination of the existence of the international or empowered courts, cases then pending before the said courts to which British subjects are parties will take their usual course before the said courts until such cases have been finally disposed of, and the jurisdiction of the said courts will remain in full force for this purpose.

I have, &amp;c.

PRABHA KARAWONGS.

## No. 3.

*The Siamese Minister to Mr. Austen Chamberlain*

SIAMESE LEGATION, LONDON, July 14, 1925.

SIR:

In connection with the new treaties recently signed between our two governments, I have the honour to inform you, by order of my government, that, in order to protect British interests with respect to non-contentious probate matters under the régime effected by the new treaties, the Royal Siamese Government will be happy, after the ratification of the new treaties, to continue as heretofore the present system of consular probate jurisdiction with respect to non-contentious matters connected with estates of pre-registered British subjects and the present practice by which consular officers deal with non-contentious matters connected with estates of post-registered British subjects in accordance with Article 3 of the treaty of 1856 until such time as a new Siamese law shall be promulgated dealing with the question of succession and probate.

I have the honour to inform you further, that it is the intention of the Royal Siamese Government to proceed with the preparation and promulgation of the new law as soon as possible.

I have, &amp;c.

PRABHA KARAWONGS.

## No. 4.

*Mr. Austen Chamberlain to the Siamese Minister*

FOREIGN OFFICE, July 14, 1925.

SIR:

His Majesty's Government are happy to think that, in signing the general and commercial treaties under which Siam obtains full jurisdictional and fiscal autonomy, they have made some contribution towards the free and prosperous development of Siam. Under the jurisdictional head, in particular, they have agreed to the arrangements embodied in the annex to the general

treaty, because they are convinced that in the near future nothing short of full autonomy in these matters will be consonant with the position of Siam among civilised nations. Moreover, they feel sure that these arrangements will strengthen the ties that so happily unite the two countries.

2. The existing ties between Siam and Great Britain are mutually advantageous in a peculiarly high degree by reason of two facts. More than 50,000 Indian British subjects pursue their avocations in Siam and contribute to the prosperity of the country. Furthermore, British trade with Siam is longer established and larger in volume than that of any other country. These facts give to Anglo-Siamese relations an especially close and cordial character which His Majesty's Government are sure that the Siamese Government fully appreciate and share the desire of His Majesty's Government to preserve. His Majesty's Government therefore feel very confident that the Siamese Government are not likely to take any steps calculated to prejudice the British interests arising from these considerations.

3. His Majesty's Government, without wishing to make any suggestion which might constitute an interference in the internal affairs of Siam, or to make the grant of the rights acquired by Siam under the new treaties subject to any conditions or restrictions, feel, nevertheless, in view of the magnitude of the interests involved, that it may be useful to state frankly certain apprehensions which they entertain. They do so at this moment when a new epoch of Siamese progress is beginning, with the object of averting possible future contingencies in which Siamese as well as British interests might suffer. It is possible that by the time the new codes have been promulgated there will not be available, either because the law school established by the Siamese Government has not been fully developed or for some other reason, a sufficient supply of fully trained Siamese judges to take the places of the present European legal advisers. Moreover, in any case, the fact that the new codes are based on Roman law must somewhat accentuate the difficulties of dealing with the large number of commercial cases involving British interests that come before the courts. The Siamese Government doubtless appreciate this position; and it therefore occurs to His Majesty's Government that they may well wish, should it be necessary in order to avoid possible future injury to the interests common to both countries, for a reasonable time after the coming into force of the various codes, and even, if necessary, after the disappearance of the right of evocation, to continue to employ a reasonable number of European legal advisers, of whom a proportion commensurate with British interests will be of British nationality; to continue to employ them in general in the same posts and in the same judicial capacities as at present, and to arrange that they shall exercise their powers in the same general manner as they have hitherto done (except in so far as the termination of the 1909 treaty may result in their judgments no longer prevailing in the cases provided for under that treaty); to retain the post of judicial adviser, which it will probably be impracticable

to fill with a lawyer of other than British nationality; and to employ as a teacher in the law school an English lawyer, preferably a barrister familiar with the Indian codes.

I have, &c.

AUSTEN CHAMBERLAIN.

No. 5.

*The Siamese Minister to Mr. Austen Chamberlain*

SIAMESE LEGATION, LONDON, July 28, 1925.

SIR:

The Royal Siamese Government desire to express their very sincere appreciation for the frank and friendly note of His Britannic Majesty's Government with reference to affairs in Siam under the new régime. The Royal Siamese Government have taken very careful note of the matters set forth in this communication, and they will endeavour, in respect of the several points set out in the letter from His Britannic Majesty's Government, to do everything possible to safeguard British interests in Siam, so far as this can be done without injury to the interests of the Royal Siamese Government.

In particular, the Royal Siamese Government readily give an assurance that it is their intention not to dispense with the services of European legal advisers upon the ratification of the new treaties, but to continue to employ them until such time after the promulgation of the codes as they may be convinced that the administration of justice by Siamese judges shows the further services of such European advisers to be unnecessary.

The Royal Siamese Government take this opportunity of reaffirming the principle as to the use of British law in commercial cases where no Siamese law exists. Until the promulgation of the civil and commercial code they intend to continue to act upon this principle, which was expressed in the following form in the letter of the 19th May, 1909, from Mr. Westengard to Mr. Beckett:

Where there is no existing Siamese statute or precedent the Siamese courts administer customary law. The custom in commercial matters where there are foreign communities is generally in accordance with English principles. Therefore, Siamese courts in such cases are guided by English statutes and cases as far as circumstances admit.

I have, &c.

PRABHA KARAWONGS.

No. 6.

*Mr. Austen Chamberlain to the Siamese Minister*

FOREIGN OFFICE, August 5, 1925.

SIR:

I have the honour to inform you that I have noted with gratification the contents of the three notes complementary to the general and commercial treaties signed on the 14th ultimo between Siam and Great Britain, which

you handed to me on that date, and which contain the following assurances: (1) That it is not the present intention of the Siamese Government to impose any new or increase any existing export duties on teak, tin or rice; (2) that, when the time comes for the termination of the existence of the international or empowered courts in Siam, cases then pending before those courts to which British subjects are parties will take their usual course before the courts until such cases have been finally disposed of, and that the jurisdiction of those courts will remain in full force for this purpose; and (3) that the Siamese Government agree to continue, after the ratification of the treaties, the present system of consular probate jurisdiction with respect to non-contentious probate matters until such time as a new Siamese law shall be promulgated dealing with the question of succession and probate, and that it is their intention to proceed with the preparation and promulgation of the new law as soon as possible.

2. I have also the honour to acknowledge the receipt of your note of the 28th ultimo, in reply to the note which I handed to you at the time of signature of the treaties, in which you inform me of the intentions of the Siamese Government in regard to the matters mentioned in my note, in particular the retention of the European judicial advisers, and give an assurance of the continued use of British law in commercial cases until the promulgation of the civil and commercial code.

I have, &c.

AUSTEN CHAMBERLAIN.

No. 7.

*The Siamese Minister to Mr. Austen Chamberlain*

SIAMESE LEGATION, LONDON, August 12, 1925.

DEAR MR. CHAMBERLAIN,

Sir Sydney Chapman, of the Board of Trade, has called my attention to the possible ambiguity of the word "tin" as used in my letter to you of the 14th July, 1925, concerning export duties on teak, tin and rice, and has raised the question of whether the assurance contained in this letter covers export duties on tin ore as well as on tin in its other forms.

I have pleasure in informing you that it is the understanding of my government that the word "tin" as used in this letter covers both tin and tin ore.

Believe me, &c.

PRABHA KARAWONGS.

No. 8.

*Mr. Austin Chamberlain to the Siamese Minister*

FOREIGN OFFICE, September 15, 1925.

MY DEAR MINISTER,

I thank you for your letter of the 12th ultimo informing me that it is the understanding of the Siamese Government that the word "tin" used in

your note of the 14th July concerning export duties on teak, tin and rice covers both tin and tin ore.

I am bringing this understanding to the attention of Sir Sydney Chapman and the various government departments concerned.

Believe me, &c.

AUSTEN CHAMBERLAIN.

ARBITRATION CONVENTION BETWEEN THE UNITED KINGDOM AND SIAM<sup>1</sup>

*Signed at London, November 25, 1925; ratifications exchanged at London, February 2, 1927.*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Siam, parties to the protocol establishing the Permanent Court of International Justice, signed at Geneva on the 16th December, 1920, being desirous of concluding a convention with a view of referring to arbitration all questions which they may consider possible to submit to that mode of settlement, have appointed as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: The Right Honourable Joseph Austen Chamberlain, a Member of Parliament, His Majesty's Principal Secretary of State for Foreign Affairs; and

His Majesty the King of Siam: Phya Prabha Karavongs, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Britannic Majesty;

<sup>1</sup> British Treaty Series No. 7 (1927). Cmd. 2813. In her new treaties Siam has obtained a noteworthy series of arbitration provisions with European nations. In Article II of the Franco-Siamese treaty of Feb. 14, 1925, both parties agree "in conformity to the principles announced in the Covenant of the League of Nations that in case controversial questions should arise between them in the future which cannot be settled by mutual agreement or by the method of diplomacy, they will submit the controversy to one or more arbitrators chosen by them, or in default of arbitration, to the Permanent Court of International Justice. This court will obtain jurisdiction by means of a common agreement between the two parties, or if agreement cannot be reached, by the simple request of either of them." (See League of Nations Treaty Series, Vol. 43, p. 193; Registration No. 1055). It will thus be seen that war is renounced by both countries as a method of settling disputes of every kind. The arbitral provision is sweeping and compulsory. More or less similar clauses were inserted in most of the other European treaties. Great Britain, however, declined to enter into such an engagement; and the British arbitration treaty, here printed, follows the older, conservative type, with the loophole of "vital interests," "independence," and "honour." It is to be remembered, however, that in Article 33 of the Treaty of Commerce and Navigation between Great Britain and Siam, "the two contracting parties agree that any dispute that may arise between them as to the proper interpretation or application of any of the provisions" of that treaty "shall, at the request of either party, be referred to arbitration, and both parties undertake to accept as binding the arbitral award. The court of arbitration to which disputes shall be referred shall be the Permanent Court of International Justice at the Hague, unless in any particular case the two contracting parties agree otherwise."—F. B. SAYRE.

Who, having communicated to each other their respective full powers, found in good and true form, have agreed as follows:

#### ARTICLE 1

Differences of a legal nature which may arise between the two contracting parties and which it may not have been possible to settle by diplomacy, in the absence of contrary agreement shall, at the request of either party, be referred to the Permanent Court of International Justice established by the protocol of December 16, 1920, in accordance with the procedure laid down in the statutes of that court and in the rules of court adopted thereunder, provided, nevertheless, that such differences do not affect the vital interests, the independence or the honour of the two contracting parties, and do not concern the interests of third parties. The contracting parties agree to accept the decision of the court as binding.

#### ARTICLE 2

The present convention, which shall be ratified, is concluded for a period of five years dating from the exchange of ratifications, which shall take place at London as soon as possible. In case neither of the two contracting parties shall have given notice to the other twelve months before the expiration of the said period of five years of its intention to terminate the present convention, it shall remain in force until the expiration of one year from the date on which either of the two contracting parties shall have denounced it.

In witness whereof the respective plenipotentiaries have signed the present convention and have affixed thereto their seals.

Done in duplicate in the English language at London, the twenty-fifth day of November in the nineteen hundred and twenty-fifth year of the Christian era, corresponding to the twenty-fifth day of the eighth month in the two thousand four hundred and sixty-eighth year of the Buddhist era.

(L.S.) AUSTEN CHAMBERLAIN.

(L.S.) PRABHA KARAVONGS.



## OFFICIAL DOCUMENTS

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## OFFICIAL DOCUMENTS

### ARBITRATION TREATY BETWEEN THE UNITED STATES AND THE FRENCH REPUBLIC<sup>1</sup>

*Signed at Washington on February 6, 1928*

The President of the United States of America and the President of the French Republic

Determined to prevent so far as in their power lies any interruption in the peaceful relations that have happily existed between the two nations for more than a century;

Desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between them;

Eager by their example not only to demonstrate their condemnation of war as an instrument of national policy in their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated forever the possibility of war among any of the Powers of the world;

Having in mind the treaty signed at Washington on September 15, 1914,<sup>2</sup> to facilitate the settlement of disputes between the United States of America and France;

Have decided to conclude a new treaty of arbitration enlarging the scope of the arbitration convention signed at Washington on February 10, 1908,<sup>3</sup> which expires by limitation on February 27, 1928, and promoting the cause of arbitration and for that purpose they have appointed as their respective plenipotentiaries:

The President of the United States of America:

Mr. Robert E. Olds, Acting Secretary of State, and

The President of the French Republic:

His Excellency Mr. Paul Claudel, Ambassador Extraordinary and Plenipotentiary of the French Republic to the United States, who, having communicated to one another their full powers found in good and due form, have agreed upon the following articles:

#### ARTICLE I

Any disputes arising between the Government of the United States of America and the Government of the French Republic of whatever nature they may be, shall, when ordinary diplomatic proceedings have failed and the high contracting parties do not have recourse to adjudication by a com-

<sup>1</sup> Congressional Record, Feb. 8, 1928.

<sup>2</sup> Printed in Supplement to this JOURNAL, Vol. 10 (1916), p. 278.

<sup>3</sup> *Ibid.*, Vol. 2 (1908). p. 296.

petent tribunal, be submitted for investigation and report, as prescribed in the treaty signed at Washington, September 15, 1914, to the Permanent International Commission constituted pursuant thereto.

#### ARTICLE II

All differences relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the above-mentioned Permanent International Commission, and which are justiciable in the nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention of October 18, 1907, or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define its powers, state the question or questions at issue, and settle the terms of reference.

The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof, and on the part of France in accordance with the constitutional laws of France.

#### ARTICLE III

The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which

- (a) is within the domestic jurisdiction of either of the high contracting parties,
- (b) involves the interests of third parties,
- (c) depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine,
- (d) depends upon or involves the observance of the obligations of France in accordance with the covenant of the League of Nations.

#### ARTICLE IV

The present treaty shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof and by the President of the French Republic in accordance with the constitutional laws of the French Republic.

The ratifications shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of the exchange of the ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either high contracting party to the other.

In faith thereof the respective plenipotentiaries have signed this treaty in

duplicate in the English and French languages, both texts having equal force, and hereunto affix their seals.

Done at Washington the sixth day of February in the year of our Lord one thousand nine hundred and twenty-eight.

ROBERT E. OLDS [SEAL]  
CLAUDEL [SEAL]

EXCHANGE OF NOTES BETWEEN THE SECRETARY OF STATE AND THE FRENCH AMBASSADOR<sup>1</sup>

*The Secretary of State to the French Ambassador*

WASHINGTON, March 1, 1928.

As you are aware it was not the intention or desire of the Government of the United States that the new Arbitration Treaty, which was proposed to your government last December and signed on February 6, 1928, should be held to affect in any way the provisions of the Treaty for the Advancement of Peace signed by France and the United States on September 15, 1914, and I have understood that the Government of the French Republic was in accord with the Government of the United States on this point.

In order to prevent the possibility of any future misunderstanding, however, I desire formally to state that in the opinion of the Government of the United States the provisions of the Arbitration Treaty signed February 6, 1928, do not in the slightest degree affect or modify the provisions of the treaty signed September 15, 1914. I should be glad to receive a note from you confirming my understanding that your government's interpretation of the treaty signed February 6, 1928, is identical with that of the Government of the United States as expressed above.

*The French Ambassador to the Secretary of State*

WASHINGTON, March 5, 1928.

By a note dated the first of this month your excellency has been good enough to inform me that in the opinion of the Federal Government "the provisions of the treaty of arbitration signed February 6, 1928, do not in the slightest degree affect or modify the provisions of the treaty signed September 15, 1914." You added that you would be glad to receive from me a note confirming that my government shares this point of view.

My government, to which I did not fail to transmit the text of your excellency's note, has requested me to assure you that its interpretation of the treaty signed February 6, 1928, is identical with that of the Government of the United States as expressed above.

My government is of the opinion that our recent arbitration treaty not only leaves the 1914 treaty unchanged but even envisages its application.

<sup>1</sup> Press notice, Dept. of State, March 7, 1928.

SETTLEMENT OF WAR CLAIMS ACT OF 1928<sup>1</sup>

An Act To provide for the settlement of certain claims of American nationals against Germany, Austria, and Hungary, and of nationals of Germany, Austria, and Hungary, against the United States, and for the ultimate return of all property held by the Alien Property Custodian.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Settlement of War Claims Act of 1928."*

## CLAIMS OF NATIONALS OF THE UNITED STATES AGAINST GERMANY

SEC. 2. (a) The Secretary of State shall, from time to time, certify to the Secretary of the Treasury the awards of the Mixed Claims Commission, United States and Germany, established in pursuance of the agreement of August 10, 1922, between the United States and Germany (referred to in this Act as the "Mixed Claims Commission").

(b) The Secretary of the Treasury is authorized and directed to pay an amount equal to the principal of each award so certified, plus the interest thereon, in accordance with the award, accruing before January 1, 1928.

(c) The Secretary of the Treasury is authorized and directed to pay annually (as nearly as may be) simple interest, at the rate of 5 per centum per annum, upon the amounts payable under subsection (b) and remaining unpaid, beginning January 1, 1928, until paid.

(d) The payments authorized by subsection (b) or (c) shall be made in accordance with such regulations as the Secretary of the Treasury may prescribe, but only out of the German special deposit account created by section 4, within the limitations hereinafter prescribed, and in the order of priority provided in subsection (e) of section 4.

(e) There shall be deducted from the amount of each payment, as reimbursement for the expenses incurred by the United States in respect thereof, an amount equal to one-half of 1 per centum thereof. The amount so deducted shall be deposited in the Treasury as miscellaneous receipts. In computing the amounts payable under subsection (e) of section 4 (establishing the priority of payments) the fact that such deduction is required to be made from the payment when computed or that such deduction has been made from prior payments, shall be disregarded.

(f) The amounts awarded to the United States in respect of claims of the United States on its own behalf shall not be payable under this section.

(g) No payment shall be made under this section unless application therefor is made, within two years after the date of the enactment of this Act, in accordance with such regulations as the Secretary of the Treasury may prescribe. Payment shall be made only to the person on behalf of whom the award was made, except that—

(1) If such person is deceased or is under a legal disability, payment shall be made to his legal representative, except that if the payment is not over

<sup>1</sup> Public No. 122, 70th Congress. [H. R. 7201.]

\$500 it may be made to the persons found by the Secretary of the Treasury to be entitled thereto, without the necessity of compliance with the requirements of law in respect of the administration of estates;

(2) In the case of a partnership, association, or corporation, the existence of which has been terminated, payment shall be made, except as provided in paragraphs (3) and (4), to the persons found by the Secretary of the Treasury to be entitled thereto;

(3) If a receiver or trustee for the person on behalf of whom the award was made has been duly appointed by a court in the United States and has not been discharged prior to the date of payment, payment shall be made to the receiver or trustee or in accordance with the order of the court; and

(4) In the case of an assignment of an award, or an assignment (prior to the making of the award) of the claim in respect of which the award was made, by a receiver or trustee for any such person, duly appointed by a court in the United States, such payment shall be made to the assignee.

(h) Nothing in this section shall be construed as the assumption of a liability by the United States for the payment of the awards of the Mixed Claims Commission, nor shall any payment under this section be construed as the satisfaction, in whole or in part, of any of such awards, or as extinguishing or diminishing the liability of Germany for the satisfaction in full of such awards, but shall be considered only as an advance by the United States until all the payments from Germany in satisfaction of the awards have been received. Upon any payment under this section of an amount in respect of an award, the rights in respect of the award and of the claim in respect of which the award was made shall be held to have been assigned pro tanto to the United States, to be enforced by and on behalf of the United States against Germany, in the same manner and to the same extent as such rights would be enforced on behalf of the American national.

(i) Any person who makes application for payment under this section shall be held to have consented to all the provisions of this Act.

(j) The President is requested to enter into an agreement with the German Government by which the Mixed Claims Commission will be given jurisdiction of and authorized to decide claims of the same character as those of which the commission now has jurisdiction, notice of which is filed with the Department of State before July 1, 1928. If such agreement is entered into before January 1, 1929, awards in respect of such claims shall be certified under subsection (a) and shall be in all other respects subject to the provisions of this section.

#### CLAIMS OF GERMAN NATIONALS AGAINST UNITED STATES

SEC. 3. (a) There shall be a War Claims Arbiter (hereinafter referred to as the "Arbiter"), who shall be appointed by the President, by and with the advice and consent of the Senate, without regard to any provision of law prohibiting the holding of more than one office. The Arbiter, notwithstanding any other provision of law, shall receive a salary to be fixed by the

President in an amount, if any, which if added to any other salary will make his total salary from the United States not in excess of \$15,000 a year.

(b) It shall be the duty of the Arbitrator, within the limitations hereinafter prescribed, to hear the claims of any German national (as hereinafter defined), and to determine the fair compensation to be paid by the United States, in respect of—

(1) Any merchant vessel (including any equipment, appurtenances, and property contained therein), title to which was taken by or on behalf of the United States under the authority of the Joint Resolution of May 12, 1917 (Fortieth Statutes, page 75). Such compensation shall be the fair value, as nearly as may be determined, of such vessel to the owner immediately prior to the time exclusive possession was taken under the authority of such Joint Resolution, and in its condition at such time, taking into consideration the fact that such owner could not use or permit the use of such vessel, or charter or sell or otherwise dispose of such vessel for use or delivery, prior to the termination of the war, and that the war was not terminated until July 2, 1921, except that there shall be deducted from such value any consideration paid for such vessel by the United States. The findings of the Board of Survey appointed under the authority of such Joint Resolution shall be competent evidence in any proceeding before the Arbitrator to determine the amount of such compensation.

(2) Any radio station (including any equipment, appurtenances, and property contained therein) which was sold to the United States by or under the direction of the Alien Property Custodian under authority of the Trading with the Enemy Act, or any amendment thereto. Such compensation shall be the fair value, as nearly as may be determined, which such radio station would have had on July 2, 1921, if returned to the owner on such date in the same condition as on the date on which it was seized by or on behalf of the United States, or on which it was conveyed or delivered to, or seized by, the Alien Property Custodian, whichever date is earlier, except that there shall be deducted from such value any consideration paid for such radio station by the United States.

(3) Any patent (or any right therein or claim thereto, and including an application therefor and any patent issued pursuant to any such application) which was licensed, assigned, or sold by the Alien Property Custodian to the United States. Such compensation shall be the amount, as nearly as may be determined, which would have been paid if such patent, right, claim, or application had been licensed, assigned, or sold to the United States by a citizen of the United States, except that there shall be deducted from such amount any consideration paid therefor by the United States (other than consideration which is returned to the United States under section 27 of the Trading with the Enemy Act, as amended).

(4) The use by or for the United States of any invention described in and covered by any patent (including an application therefor and any patent issued pursuant to any such application) which was conveyed, transferred, or

assigned to, or seized by, the Alien Property Custodian, but not including any use during any period between April 6, 1917, and November 11, 1918, both dates inclusive, or on or after the date on which such patent was licensed, assigned, or sold by the Alien Property Custodian. In determining such compensation, any defense, general or special, available to a defendant in an action for infringement or in any suit in equity for relief against an alleged infringement, shall be available to the United States.

(c) The proceedings of the Arbitrator under this section shall be conducted in accordance with such rules of procedure as he may prescribe. The Arbitrator, or any referee designated by him, is authorized to administer oaths, to hold hearings at such places within or without the United States as the Arbitrator deems necessary, and to contract for the reporting of such hearings. Any witness appearing for the United States before the Arbitrator or any such referee at any place within or without the United States may be paid the same fees and mileage as witnesses in courts of the United States. Such payments shall be made out of any funds in the German special deposit account herein-after provided for, and may be made in advance.

(d) The Arbitrator may, from time to time, and shall, upon the determination by him of the fair compensation in respect of all such vessels, radio stations, and patents, make a tentative award to each claimant of the fair compensation to be paid in respect of his claim, including simple interest, at the rate of 5 per centum per annum, on the amount of such compensation from July 2, 1921, to December 31, 1928, both dates inclusive. If a German national filing a claim in respect of any such vessel fails to establish to the satisfaction of the Arbitrator that neither the German Government nor any member of the former ruling family had, at the time of the taking, any interest in such vessel either directly or indirectly, through stock ownership or control or otherwise, then (whether or not claim has been filed by or on behalf of such Government or individual) no award shall be made to such German national unless and until the extent of such interest of the German Government and of the members of the former ruling family has been determined by the Arbitrator. Upon such determination the Arbitrator shall make a tentative award in favor of such Government or individual in such amount as the Arbitrator determines to be in justice and equity representative of such interest, and reduce accordingly the amount available for tentative awards to German nationals filing claims in respect of the vessel so that the aggregate of the tentative awards (including awards on behalf of the German Government and members of the former ruling family) in respect of the vessel will be within the amount of fair compensation determined under subsection (b) of this section.

(e) The total amount to be awarded under this section shall not exceed \$100,000,000, minus the sum of (1) the expenditures in carrying out the provisions of this section (including a reasonable estimate for such expenditures to be incurred prior to the expiration of the term of office of the Arbitrator) and (2) the aggregate consideration paid by the United States in respect of the

acquisition of such vessels and radio stations, and the use, license, assignment, and sale of such patents (other than consideration which is returned to the United States under section 27 of the Trading with the Enemy Act, as amended).

(f) If the aggregate amount of the tentative awards exceeds the amount which may be awarded under subsection (e), the Arbitrator shall reduce pro rata the amount of each tentative award. The Arbitrator shall enter an award of the amount to be paid each claimant, and thereupon shall certify such awards to the Secretary of the Treasury.

(g) The Secretary of the Treasury is authorized and directed to pay the amount of the awards certified under subsection (f).

(h) The Secretary of the Treasury is authorized and directed to pay annually (as nearly as may be) simple interest, at the rate of 5 per centum per annum, upon the amount of any such award remaining unpaid, beginning January 1, 1929, until paid.

(i) The payments in respect of awards under this section shall be made in accordance with such regulations as the Secretary of the Treasury may prescribe, but only out of the German special deposit account created by section 4, within the limitations hereinafter prescribed, and in the order of priority provided in subsections (c) and (d) of section 4.

(j) The Secretary of the Treasury shall not pay any amount in respect of any award made to or on behalf of the German Government or any member of the former ruling family, but the amount of any such award shall be credited upon the final payment due the United States from the German Government for the purpose of satisfying the awards of the Mixed Claims Commission.

(k) No payment shall be made under this section unless application therefor is made, within two years after the date the award is certified, in accordance with such regulations as the Secretary of the Treasury may prescribe. Payment of any amount in respect of any award may be made, in the discretion of the Secretary of the Treasury, either in the United States or in Germany, and either in money of the United States or in lawful German money, and shall be made only to the person on behalf of whom the award was made, except that—

(1) If such person is deceased or is under a legal disability, payment shall be made to his legal representative, except that if the payment is not over \$500 it may be made to the persons found by the Secretary of the Treasury to be entitled thereto, without the necessity of compliance with the requirements of law in respect of the administration of estates;

(2) In the case of a partnership, association, or corporation, the existence of which has been terminated, payment shall be made, except as provided in paragraphs (3) and (4), to the persons found by the Secretary of the Treasury to be entitled thereto;

(3) If a receiver or trustee for the person on behalf of whom the award was

made has been duly appointed by a court of competent jurisdiction and has not been discharged prior to the date of payment, payment shall be made to the receiver or trustee or in accordance with the order of the court; and

(4) In the case of an assignment of an award, or of an assignment (prior to the making of the award) of the claim in respect of which such award was made, by a receiver or trustee for any such person, duly appointed by a court of competent jurisdiction, payment shall be made to the assignee.

(l) The head of any executive department, independent establishment, or agency in the executive branch of the Government, including the Alien Property Custodian and the Comptroller General, shall, upon request of the Arbiter, furnish such records, documents, papers, correspondence, and information in the possession of such department, independent establishment, or agency as may assist the Arbiter, furnish them statements and assistance of the same character as is described in section 188 of the Revised Statutes, and may temporarily detail any officers or employees of such department, independent establishment, or agency to assist the Arbiter, or to act as a referee, in carrying out the provisions of this section. The Attorney General shall assign such officers and employees of the Department of Justice as may be necessary to represent the United States in the proceedings under this section.

(m) The Arbiter, with the approval of the Secretary of the Treasury, is authorized to (1) appoint and fix the salaries of such officers, referees, and employees, without regard to the civil service laws and regulations or to the Classification Act of 1923, and (2) make such expenditures (including expenditures for the salary of the Arbiter, rent and personal services at the seat of government and elsewhere, law books, periodicals, books of reference, and printing and binding) as may be necessary for carrying out the provisions of this section and within the funds available therefor. Any officer or employee detailed or assigned under subsection (1) shall be entitled to receive (notwithstanding any provision of law to the contrary) such additional compensation as the Arbiter, with the approval of the Secretary of the Treasury, may prescribe. The Arbiter and officers and employees appointed, detailed, or assigned shall be entitled to receive their necessary traveling expenses and actual expenses incurred for subsistence (without regard to any limitations imposed by law) while away from the District of Columbia on business required by this section.

(n) On the date on which the awards are certified to the Secretary of the Treasury under subsection (f) or the date on which the awards are certified to the Secretary of the Treasury under subsection (e) of section 6 (patent claims of Austrian and Hungarian nationals), whichever date is the later, the terms of office of the Arbiter, and of the officers and employees appointed by the Arbiter, shall expire, and the books, papers, records, correspondence, property, and equipment of the office shall be transferred to the Department of the Treasury.

(o) No award or tentative award shall be made by the Arbitrator in respect of any claim if (1) such claim is filed after the expiration of four months from the date on which the Arbitrator takes office, or (2) any judgment or decree awarding compensation or damages in respect thereof has been rendered against the United States, and if such judgment or decree has become final (whether before or after the enactment of this Act), or (3) any suit or proceeding against the United States, or any agency thereof, is commenced or is pending in respect thereof and is not dismissed upon motion of the person by or on behalf of whom it was commenced, made before the expiration of six months from the date on which the Arbitrator takes office and before any judgment or decree awarding compensation or damages becomes final.

(p) There is hereby authorized to be appropriated, to be immediately available and to remain available until expended, the sum of \$50,000,000, and, after the date on which the awards of the Arbitrator under this section are certified to the Secretary of the Treasury, such additional amounts as, when added to the amounts previously appropriated, will be equivalent to the aggregate amount of such awards plus the amounts necessary for the expenditures authorized by subsections (c) and (m) of this section (expenses of administration), except that the aggregate of such appropriations shall not exceed \$100,000,000.

(q) The provisions of this section shall constitute the exclusive method for the presentation and payment of claims arising out of any of the acts by or on behalf of the United States for which this section provides a remedy. Any person who files any claim or makes application for any payment under this section shall be held to have consented to all the provisions of this Act. This subsection shall not bar the presentation of a claim under section 21 (relating to the claims of certain former German nationals in respect of the taking of the vessels "Carl Diederichsen" and "Johanne"); but no award shall be made under section 21 in respect of either of such vessels to or on behalf of any person to whom or on whose behalf an award is made under this section in respect of such vessel.

(r) If the aggregate amount to be awarded in respect of any vessel, radio station, or patent is awarded in respect of two or more claims, such amount shall be apportioned among such claims by the Arbitrator as he determines to be just and equitable and as the interests of the claimants may appear.

(s) The Secretary of the Treasury, upon the certification of any of the tentative awards made under subsection (d) of this section and the recommendation of the Arbitrator, may make such pro rata payments in respect of such tentative awards as he deems advisable, but the aggregate of such payments shall not exceed \$25,000,000.

#### GERMAN SPECIAL DEPOSIT ACCOUNT

SEC. 4. (a) There is hereby created in the Treasury a German special deposit account, into which shall be deposited all funds hereinafter specified and from which shall be disbursed all payments authorized by section 2 or 3,

including the expenses of administration authorized under subsections (c) and (m) of section 3 and subsection (e) of this section.

(b) The Secretary of the Treasury is authorized and directed to deposit in such special deposit account—

(1) All sums invested or transferred by the Alien Property Custodian, under the provisions of section 25 of the Trading with the Enemy Act, as amended;

(2) The amounts appropriated under the authority of section 3 (relating to claims of German nationals); and

(3) All money (including the proceeds of any property, rights, or benefits which may be sold or otherwise disposed of, upon such terms as he may prescribe) received, whether before or after the enactment of this Act, by the United States in respect of claims of the United States against Germany on account of the awards of the Mixed Claims Commission.

(c) The Secretary of the Treasury is authorized and directed, out of the funds in such special deposit account, subject to the provisions of subsection (d), and in the following order of priority—

(1) To make the payments of expenses of administration authorized by subsections (c) and (m) of section 3 or subsection (e) of this section;

(2) To make so much of each payment authorized by subsection (b) of section 2 (relating to awards of the Mixed Claims Commission), as is attributable to an award on account of death or personal injury, together with interest thereon as provided in subsection (c) of section 2;

(3) To make each payment authorized by subsection (b) of section 2 (relating to awards of the Mixed Claims Commission), if the amount thereof is not payable under paragraph (2) of this subsection and does not exceed \$100,000, and to pay interest thereon as provided in subsection (c) of section 2;

(4) To pay the amount of \$100,000 in respect of each payment authorized by subsection (b) of section 2 (relating to awards of the Mixed Claims Commission), if the amount of such authorized payment is in excess of \$100,000 and is not payable in full under paragraph (2) of this subsection. No person shall be paid under this paragraph and paragraph (3) an amount in excess of \$100,000 (exclusive of interest beginning January 1, 1928), irrespective of the number of awards made on behalf of such person;

(5) To make additional payments authorized by subsection (b) of section 2 (relating to awards of the Mixed Claims Commission), in such amounts as will make the aggregate payments (authorized by such subsection) under this paragraph and paragraphs (2), (3), and (4) of this subsection equal to 80 per centum of the aggregate amount of all payments authorized by subsection (b) of section 2. Payments under this paragraph shall be prorated on the basis of the amount of the respective payments authorized by subsection (b) of section 2 and remaining unpaid. Pending the completion of the work of the Mixed Claims Commission, the Secretary of the Treasury is authorized to pay such installments of the payments authorized by this paragraph

as he determines to be consistent with prompt payment under this paragraph to all persons on behalf of whom claims have been presented to the Commission;

(6) To pay amounts determined by the Secretary of the Treasury to be payable in respect of the tentative awards of the Arbitrator, in accordance with the provisions of subsection (s) of section 3 (relating to awards for ships, patents, and radio stations);

(7) To pay to German nationals such amounts as will make the aggregate payment equal to 50 per centum of the amounts awarded under section 3 (on account of ships, patents, and radio stations). Payments authorized by this paragraph or paragraph (6) may, to the extent of funds available under the provisions of subsection (d) of this section, be made whether or not the payments under paragraphs (1) to (5), inclusive, of this subsection have been completed;

(8) To pay accrued interest upon the participating certificates evidencing the amounts invested by the Alien Property Custodian under subsection (a) of section 25 of the Trading with the Enemy Act, as amended (relating to the investment of 20 per centum of German property temporarily withheld);

(9) To pay the accrued interest payable under subsection (c) of section 2 (in respect of awards of the Mixed Claims Commission) and subsection (h) of section 3 (in respect of awards to German nationals);

(10) To make such payments as are necessary (A) to repay the amounts invested by the Alien Property Custodian under subsection (a) of section 25 of the Trading with the Enemy Act, as amended (relating to the investment of 20 per centum of German property temporarily withheld), (B) to pay amounts equal to the difference between the aggregate payments (in respect of claims of German nationals) authorized by subsections (g) and (h) of section 3 and the amounts previously paid in respect thereof, and (C) to pay amounts equal to the difference between the aggregate payments (in respect of awards of the Mixed Claims Commission) authorized by subsections (b) and (c) of section 2, and the amounts previously paid in respect thereof. If funds available are not sufficient to make the total payments authorized by this paragraph, the amount of payments made from time to time shall be apportioned among the payments authorized under clauses (A), (B), and (C) according to the aggregate amount remaining unpaid under each clause;

(11) To make such payments as are necessary to repay the amounts invested by the Alien Property Custodian under subsection (b) of section 25 of the Trading with the Enemy Act, as amended (relating to the investment of the unallocated interest fund); but the amount payable under this paragraph shall not exceed the aggregate amount allocated to the trusts described in subsection (c) of section 26 of such Act;

(12) To pay into the Treasury as miscellaneous receipts the amount of the awards of the Mixed Claims Commission to the United States on its own behalf on account of claims of the United States against Germany; and

(13) To pay into the Treasury as miscellaneous receipts any funds remaining in the German special deposit account after the payments authorized by paragraphs (1) to (12) have been completed.

(d) 50 per centum of the amounts appropriated under the authority of section 3 (relating to claims of German nationals) shall be available for payments under paragraphs (6) and (7) of subsection (c) of this section (relating to such claims) and shall be available only for such payments until such time as the payments authorized by such paragraphs have been completed.

(e) The Secretary of the Treasury is authorized to pay, from funds in the German special deposit account, such amounts, not in excess of \$25,000 per annum, as may be necessary for the payment of the expenses in carrying out the provisions of this section and section 25 of the Trading with the Enemy Act, as amended (relating to the investment of funds by the Alien Property Custodian), including personal services at the seat of government.

(f) The Secretary of the Treasury is authorized to invest and reinvest, from time to time, in bonds, notes, or certificates of indebtedness of the United States any of the funds in the German special deposit account, and to deposit to the credit of such account the interest or other earnings thereon.

(g) There shall be deducted from the amounts first payable under this section to any American national in respect of any debt the amount, if any, paid by the Alien Property Custodian in respect of such debt which was not credited by the Mixed Claims Commission in making its award.

#### CLAIMS OF UNITED STATES AND ITS NATIONALS AGAINST AUSTRIA AND HUNGARY

SEC. 5. (a) The Commissioner of the Tripartite Claims Commission (hereinafter referred to as the "Commissioner") selected in pursuance of the agreement of November 26, 1924, between the United States and Austria and Hungary shall, from time to time, certify to the Secretary of the Treasury the judgments and interlocutory judgments (hereinafter referred to as "awards" of the Commissioner.

(b) The Secretary of the Treasury is authorized and directed to pay (1) in the case of any such judgment, an amount equal to the principal thereof, plus the interest thereon in accordance with such judgment, and (2) in the case of any such interlocutory judgment, an amount equal to the principal thereof (converted at the rate of exchange specified in the certificate of the Commissioner provided for in section 7), plus the interest thereon in accordance with such certificate.

(c) The payments authorized by subsection (b) shall be made in accordance with such regulations as the Secretary of the Treasury may prescribe, but only out of the special deposit account (Austrian or Hungarian, as the case may be), created by section 7, and within the limitations hereinafter prescribed.

(d) There shall be deducted from the amount of each payment, as reim-

bursement for expenses incurred by the United States in respect thereof, an amount equal to one-half of 1 per centum thereof. The amount so deducted shall be deposited in the Treasury as miscellaneous receipts.

(e) The amounts awarded to the United States in respect of claims of the United States on its own behalf shall be payable under this section.

(f) No payment shall be made under this section (other than payments to the United States in respect of claims of the United States on its own behalf) unless application therefor is made within two years after the date of the enactment of this Act in accordance with such regulations as the Secretary of the Treasury may prescribe. Payment shall be made only to the person on behalf of whom the award was made except in the cases specified in paragraphs (1) to (4) of subsection (g) of section 2.

(g) Any person who makes application for payment under this section shall be held to have consented to all the provisions of this Act.

#### CLAIMS OF AUSTRIAN AND HUNGARIAN NATIONALS AGAINST THE UNITED STATES

SEC. 6. (a) It shall be the duty of the Arbiter, within the limitations hereinafter prescribed, to hear the claims of any Austrian or Hungarian national (as hereinafter defined) and to determine the compensation to be paid by the United States, in respect of—

(1) Any patent (or any right therein or claim thereto, and including an application therefor and any patent issued pursuant to any such application) which was licensed, assigned, or sold by the Alien Property Custodian to the United States. Such compensation shall be the amount, as nearly as may be determined, which would have been paid if such patent, right, claim, or application had been licensed, assigned, or sold to the United States by a citizen of the United States, except that there shall be deducted from such amount any consideration paid therefor by the United States (other than consideration which is returned to the United States under section 27 of the Trading with the Enemy Act, as amended).

(2) The use by or for the United States of any invention described in and covered by any patent (including an application therefor and any patent issued pursuant to any such application) which was conveyed, transferred, or assigned to, or seized by, the Alien Property Custodian, but not including any use during any period between December 7, 1917, and November 3, 1918, both dates inclusive, or on or after the date on which such patent was licensed, assigned, or sold by the Alien Property Custodian. In determining such compensation, any defense, general or special, available to a defendant in an action for infringement or in any suit in equity for relief against an alleged infringement, shall be available to the United States.

(b) The proceedings of the Arbiter under this section shall be conducted in accordance with such rules of procedure as he may prescribe. The Arbiter, or any referee designated by him, is authorized to administer oaths, to hold hearings at such places within or without the United States as the Arbiter deems necessary, and to contract for the reporting of such hearings.

Any witness appearing for the United States before the Arbiter or any such referee at any place within or without the United States may be paid the same fees and mileage as witnesses in courts of the United States. Such payments may be made in advance, and may be made in the first instance out of the German special deposit account, subject to reimbursement from the special deposit account (Austrian or Hungarian, as the case may be) hereinafter provided for.

(c) The Arbiter shall, upon the determination by him of the fair compensation in respect of all such patents, make a tentative award to each claimant of the fair compensation to be paid in respect of his claim, including simple interest, at the rate of 5 per centum per annum, on the amount of such compensation from July 2, 1921, to December 31, 1928, both dates inclusive.

(d) The total amount to be awarded under this section shall not exceed \$1,000,000, minus the sum of (1) the expenditures in carrying out the provisions of this section (including a reasonable estimate for such expenditures to be incurred prior to the expiration of the term of office of the Arbiter) and (2) the aggregate consideration paid by the United States in respect of the use, license, assignment, and sale of such patents (other than consideration which is returned to the United States under section 27 of the Trading with the Enemy Act, as amended).

(e) If the aggregate amount of the tentative awards exceeds the amount which may be awarded under subsection (d), the Arbiter shall reduce pro rata the amount of each tentative award. The Arbiter shall enter an award of the amount to be paid each claimant, and thereupon shall certify such awards to the Secretary of the Treasury.

(f) The Secretary of the Treasury is authorized and directed to pay the amount of the awards certified under subsection (e), together with simple interest thereon, at the rate of 5 per centum per annum, beginning January 1, 1929, until paid.

(g) The payments authorized by subsection (f) shall be made in accordance with such regulations as the Secretary of the Treasury may prescribe, but only out of the special deposit account (Austrian or Hungarian, as the case may be), created by section 7, and within the limitations hereinafter prescribed.

(h) No payment shall be made under this section unless application therefor is made, within two years after the date the award is certified, in accordance with such regulations as the Secretary of the Treasury may prescribe. Payment of any amount in respect of any award may be made, in the discretion of the Secretary of the Treasury, either in the United States or in Austria or in Hungary, and either in money of the United States or in lawful Austrian or Hungarian money (as the case may be), and shall be made only to the person on behalf of whom the award was made, except in the cases specified in paragraphs (1) to (4) of subsection (k) of section 3.

(i) The provisions of subsections (l), (m), and (o) of section 3 shall be

applicable in carrying out the provisions of this section, except that the expenditures in carrying out the provisions of section 3 and this section shall be allocated (as nearly as may be) by the Arbitrator and paid, in accordance with such allocation, out of the German special deposit account created by section 4 or the special deposit account (Austrian or Hungarian, as the case may be) created by section 7. Such payments may be made in the first instance out of the German special deposit account, subject to reimbursement from the Austrian or the Hungarian special deposit account in appropriate cases.

(j) There is hereby authorized to be appropriated, to remain available until expended, such amount, not in excess of \$1,000,000, as may be necessary for carrying out the provisions of this section.

(k) The provisions of this section shall constitute the exclusive method for the presentation and payment of claims arising out of any of the acts by or on behalf of the United States for which this section provides a remedy. Any person who files any claim or makes application for any payment under this section shall be held to have consented to all the provisions of this Act.

(l) If the aggregate amount to be awarded in respect of any patent is awarded in respect of two or more claims, such amount shall be apportioned among such claims by the Arbitrator as he determines to be just and equitable and as the interests of the claimants may appear.

#### AUSTRIAN AND HUNGARIAN SPECIAL DEPOSIT ACCOUNTS

SEC. 7. (a) There are hereby created in the Treasury an Austrian special deposit account and an Hungarian special deposit account, into which, respectively, shall be deposited all funds hereinafter specified and from which, respectively, shall be disbursed all payments and expenditures authorized by section 5 or 6 or this section.

(b) The Secretary of the Treasury is authorized and directed to deposit in the Austrian or the Hungarian special deposit account, as the case may be—

(1) The respective amounts appropriated under the authority of section 6 (patent claims of Austrian and Hungarian nationals);

(2) The respective sums transferred by the Alien Property Custodian under the provisions of subsection (g) of section 25 of the Trading with the Enemy Act, as amended (property of Austrian and Hungarian Governments);

(3) All money (including the proceeds of any property, rights, or benefits which may be sold or otherwise disposed of, upon such terms as he may prescribe) received, whether before or after the enactment of this Act, by the United States in respect of claims of the United States against Austria or Hungary, as the case may be, on account of awards of the Commissioner.

(c) The Secretary of the Treasury is authorized and directed, out of the funds in the Austrian or the Hungarian special deposit account, as the case may be, subject to the provisions of subsections (d) and (e)—

(1) To make the payments of expenses of administration authorized by section 6 or this section;

(2) To make the payments authorized by subsection (b) of section 5 (relating to awards of the Tripartite Claims Commission); and

(3) To make the payments of the awards of the Arbiter, together with interest thereon, as provided by section 6 (relating to claims of Austrian and Hungarian nationals).

(d) No payment shall be made in respect of any award of the Commissioner against Austria or of the Arbiter on behalf of an Austrian national, nor shall any money or other property be returned under paragraph (15), (17), (18), or (19) of subsection (b) of section 9 of the Trading with the Enemy Act, as amended (relating to the return of money and other property by the Alien Property Custodian to Austrian nationals), prior to the date upon which the Commissioner certifies to the Secretary of the Treasury—

(1) That the amounts deposited in the Austrian special deposit account under paragraph (2) of subsection (b) of this section (in respect of property of the Austrian Government or property of a corporation all the stock of which was owned by the Austrian Government) and under paragraph (3) of subsection (b) of this section (in respect of money received by the United States in respect of claims of the United States against Austria on account of awards of the Commissioner) are sufficient to make the payments authorized by subsection (b) of section 5 in respect of awards against Austria; and

(2) In respect of interlocutory judgments entered by the Commissioner, the rate of exchange at which such interlocutory judgments shall be converted into money of the United States and the rate of interest applicable to such judgments and the period during which such interest shall run. The Commissioner is authorized and requested to fix such rate of exchange and interest as he may determine to be fair and equitable, and to give notice thereof, within thirty days after the enactment of this Act.

(e) No payment shall be made in respect of any award of the Commissioner against Hungary or of the Arbiter on behalf of an Hungarian national, nor shall any money or other property be returned under paragraph (15), (20), (21), or (22) of subsection (b) of section 9 of the Trading with the Enemy Act, as amended by this Act (relating to the return of money and other property by the Alien Property Custodian to Hungarian nationals), prior to the date upon which the Commissioner certifies to the Secretary of the Treasury—

(1) That the amounts deposited in the Hungarian special deposit account under paragraph (2) of subsection (b) of this section (in respect of property of the Hungarian Government or property of a corporation all the stock of which was owned by the Hungarian Government) and under paragraph (3) of subsection (b) of this section (in respect of money received by the United States in respect of claims of the United States against Hungary on account of awards of the Commissioner), are sufficient to make the payments author-

ized by subsection (b) of section 5 in respect of awards against Hungary; and

(2) In respect of interlocutory judgments entered by the Commissioner, the rate of exchange at which such interlocutory judgments shall be converted into money of the United States and the rate of interest applicable to such judgments and the period during which such interest shall run. The Commissioner is authorized and requested to fix such rate of exchange and interest as he may determine to be fair and equitable, and to give notice thereof, within thirty days after the enactment of this Act.

(f) Amounts available under subsection (e) of section 4 (relating to payment of expenses of administration) shall be available for the payment of expenses in carrying out the provisions of this section, including personal services at the seat of government.

(g) The Secretary of the Treasury is authorized to invest and reinvest, from time to time, in bonds, notes, or certificates of indebtedness of the United States, any of the funds in the Austrian or the Hungarian special deposit account, and to deposit to the credit of such account the interest or other earnings thereon.

(h) There shall be deducted from the amounts first payable under this section to any American national in respect of any debt, the amount, if any, paid by the Alien Property Custodian in respect of such debt which was not credited by the Commissioner in making his award.

(i) The payments of the awards of the Commissioner to the United States on its own behalf, on account of claims of the United States against Austria or Hungary, shall be paid into the Treasury as miscellaneous receipts.

(j) Any amount remaining in the Austrian or the Hungarian special deposit account after all the payments authorized to be made therefrom have been completed shall be disposed of as follows:

(1) There shall first be paid into the Treasury as miscellaneous receipts the respective amount, if any, by which the appropriations made under the authority of section 6 and deposited in such special deposit account exceed the payments authorized by such section; and

(2) The remainder shall be refunded to Austria or Hungary, as their respective interests may appear.

#### FINALITY OF DECISIONS

SEC. 8. (a) Notwithstanding the provisions of section 236 of the Revised Statutes, as amended, the decisions of the Secretary of the Treasury in respect of the funds to be paid into the German, the Austrian, or the Hungarian special deposit account and of the payments therefrom, shall be final and conclusive, and shall not be subject to review by any other officer of the United States, except that payments made under authority of subsection (c) or (m) of section 3 or subsection (e) of section 4 or subsection (f) of section<sup>17</sup> (relating to expenses of administration) shall be accounted for and settled without regard to the provisions of this subsection.

(b) The Secretary of the Treasury, in his annual report to the Congress, shall include a detailed statement of all expenditures made in carrying out the provisions of this Act.

**EXCESSIVE FEES PROHIBITED**

SEC. 9. (a) The Arbiter, the Commissioner of the Mixed Claims Commission appointed by the United States, and the Commissioner of the Tripartite Claims Commission, respectively, are authorized (upon request as hereinafter provided) to fix reasonable fees (whether or not fixed under any contract or agreement) for services in connection with the proceedings before the Arbiter and the Mixed Claims Commission and the Tripartite Claims Commission, respectively, and with the preparations therefor, and the application for payment, and the payment, of any amount under section 2, 3, 5, or 6. Each such official is authorized and requested to mail to each claimant in proceedings before him or the commission, as the case may be, notice (in English, German, or Hungarian) of the provisions of this section. No fee shall be fixed under this subsection unless written request therefor is filed with such official before the expiration of ninety days after the date of mailing of such notice. In the case of nationals of Germany, Austria, and Hungary, such notice may be mailed to, and the written request may be filed by, the duly accredited diplomatic representative of such nation.

(b) After a fee has been fixed under subsection (a), any person accepting any consideration (whether or not under a contract or agreement entered into prior to the enactment of this Act) the aggregate value of which (when added to any consideration previously received) is in excess of the amount so fixed, for services in connection with the proceedings before the Arbiter or Mixed Claims Commission or Tripartite Claims Commission, or any preparations therefor, or with the application for payment, or the payment, of any amount under section 2, 3, 5, or 6, shall, upon conviction thereof, be punished by a fine of not more than four times the aggregate value of the consideration accepted by such person therefor.

(c) Section 20 of the Trading with the Enemy Act, as amended, is amended by inserting after the word "attorney" wherever it appears in such section the words "at law or in fact".

**INVESTMENT OF FUNDS BY ALIEN PROPERTY CUSTODIAN**

SEC. 10. The Trading with the Enemy Act, as amended, is amended by adding thereto the following new section:

"SEC. 25. (a) (1) The Alien Property Custodian is authorized and directed to invest, from time to time upon the request of the Secretary of the Treasury, out of the funds held by the Alien Property Custodian or by the Treasurer of the United States for the Alien Property Custodian, an amount not to exceed \$40,000,000 in the aggregate, in one or more participating certificates issued by the Secretary of the Treasury in accordance with the provisions of this section.

"(2) When in the case of any trust written consent under subsection (m) of section 9 has been filed, an amount equal to the portion of such trust the return of which is temporarily postponed under such subsection shall be credited against the investment made under paragraph (1) of this subsection. If the total amount so credited is in excess of the amount invested under paragraph (1) of this subsection, the excess shall be invested by the Alien Property Custodian in accordance with the provisions of this subsection, without regard to the \$40,000,000 limitation in paragraph (1). If the amount invested under paragraph (1) of this subsection is in excess of the total amount so credited, such excess shall, from time to time on request of the Alien Property Custodian, be paid to him out of the funds in the German special deposit account created by section 4 of the Settlement of War Claims Act of 1928, and such payments shall have priority over any payments therefrom other than the payments under paragraph (1) of subsection (c) of such section (relating to expenses of administration).

"(b) The Alien Property Custodian is authorized and directed to invest, in one or more participating certificates issued by the Secretary of the Treasury, out of the unallocated interest fund, as defined in section 28—

"(1) The sum of \$25,000,000. If, after the allocation under section 26 has been made, the amount of the unallocated interest fund allocated to the trusts described in subsection (c) of such section is found to be in excess of \$25,000,000, such excess shall be invested by the Alien Property Custodian in accordance with the provisions of this subsection. If the amount so allocated is found to be less than \$25,000,000 any participating certificate or certificates that have been issued shall be corrected accordingly; and

"(2) The balance of such unallocated interest fund remaining after the investment provided for in paragraph (1) and the payment of allocated earnings in accordance with the provisions of subsection (b) of section 26 have been made.

"(c) If the amount of such unallocated interest fund, remaining after the investment required by paragraph (1) of subsection (b) of this section has been made, is insufficient to pay the allocated earnings in accordance with subsection (b) of section 26, then the amount necessary to make up the deficiency shall be paid out of the funds in the German special deposit account created by section 4 of the Settlement of War Claims Act of 1928, and such payment shall have priority over any payments therefrom other than the payments under paragraph (1) of subsection (c) of such section (relating to expenses of administration) and the payments under paragraph (2) of subsection (a) of this section.

"(d) The Alien Property Custodian is authorized and directed (after the payment of debts under section 9) to transfer to the Secretary of the Treasury, for deposit in such special deposit account, all money and the proceeds of all property, including all income, dividends, interest, annuities, and earnings accumulated in respect thereof, owned by the German Government or any member of the former ruling family. All money and other property

shall be held to be owned by the German Government (1) if no claim thereto has been filed with the Alien Property Custodian prior to the expiration of one year from the date of the enactment of the Settlement of War Claims Act of 1928, or (2) if any claim has been filed before the expiration of such period (whether before or after the enactment of such Act), then if the ownership thereof under any such claim is not established by a decision of the Alien Property Custodian or by suit in court instituted, under section 9, within one year after the decision of the Alien Property Custodian, or after the date of the enactment of the Settlement of War Claims Act of 1928, whichever date is later. The amounts so transferred under this subsection shall be credited upon the final payment due the United States from the German Government on account of the awards of the Mixed Claims Commission.

"(e) The Secretary of the Treasury is authorized and directed to issue to the Alien Property Custodian, upon such terms and conditions and under such regulations as the Secretary of the Treasury may prescribe, one or more participating certificates, bearing interest payable annually (as nearly as may be) at the rate of 5 per centum per annum, as evidence of the investment by the Alien Property Custodian under subsection (a), and one or more non-interest bearing participating certificates, as evidence of the investment by the Alien Property Custodian under subsection (b). All such certificates shall evidence a participating interest, in accordance with, and subject to the priorities of, the provisions of section 4 of the Settlement of War Claims Act of 1928, in the funds in the German special deposit account created by such section, except that—

"(1) The United States shall assume no liability, directly or indirectly, for the payment of any such certificates, or of the interest thereon, except out of funds in such special deposit account available therefor, and all such certificates shall so state on their face; and

"(2) Such certificates shall not be transferable, except that the Alien Property Custodian may transfer any such participating certificate evidencing the interest of a substantial number of the owners of the money invested, to a trustee duly appointed by such owners.

"(f) Any amount of principal or interest paid to the Alien Property Custodian in accordance with the provisions of subsection (c) of section 4 of the Settlement of War Claims Act of 1928 shall be allocated pro rata among the persons filing written consents under subsection (n) of section 9 of this Act, and the amounts so allocated shall be paid to such persons. If any person to whom any amount is payable under this subsection has died (or if, in the case of a partnership, association, or other unincorporated body of individuals, or a corporation, its existence has terminated), payment shall be made to the persons determined by the Alien Property Custodian to be entitled thereto.

"(g) The Alien Property Custodian is authorized and directed (after the payment of debts under section 9) to transfer to the Secretary of the Treas-

ury, for deposit in the special deposit account (Austrian or Hungarian, as the case may be), created by section 7 of the Settlement of War Claims Act of 1928, all money and the proceeds of all property, including all income, dividends, interest, annuities, and earnings accumulated in respect thereof, owned by the Austrian Government or any corporation all the stock of which was owned by or on behalf of the Austrian Government (including the property of the Imperial Royal Tobacco Monopoly, also known under the name of K. K. Oesterreichische Tabak Regie), or owned by the Hungarian Government or by any corporation all the stock of which was owned by or on behalf of the Hungarian Government."

**RETURN TO NATIONALS OF GERMANY, AUSTRIA, AND HUNGARY OF PROPERTY  
HELD BY ALIEN PROPERTY CUSTODIAN**

SEC. 11. Subsection (b) of section 9 of the Trading with the Enemy Act, as amended, is amended by striking out the punctuation at the end of paragraph (11) and inserting in lieu thereof a semicolon and the word "or" and inserting after paragraph (11) the following new paragraphs:

"(12) A partnership, association, or other unincorporated body of individuals, or a corporation, and was entirely owned at such time by subjects or citizens of nations, States, or free cities other than Austria or Hungary or Austria-Hungary and is so owned at the time of the return of its money or other property, and has filed the written consent provided for in subsection (m); or

"(13) A partnership, association, or other unincorporated body of individuals, having its principal place of business at such time within any country other than Austria, Hungary, or Austria-Hungary, or a corporation organized or incorporated within any country other than Austria, Hungary, or Austria-Hungary, and that the written consent provided for in subsection (m) has been filed; or

"(14) An individual who at such time was a citizen or subject of Germany or who, at the time of the return of any money or other property, is a citizen or subject of Germany or is not a citizen or subject of any nation, State, or free city, and that the written consent provided for in subsection (m) has been filed; or

"(15) The Austro-Hungarian Bank, except that the money or other property thereof shall be returned only to the liquidators thereof; or

"(16) An individual, partnership, association, or other unincorporated body of individuals, or a corporation, and that the written consent provided for in subsection (m) has been filed, and that no suit or proceeding against the United States or any agency thereof is pending in respect of such return, and that such individual has filed a written waiver renouncing on behalf of himself, his heirs, successors, and assigns any claim based upon the fact that at the time of such return he was in fact entitled to such return under any other provision of this Act; or

"(17) A partnership, association, or other unincorporated body of indi-

viduals, or a corporation, and was entirely owned at such time by citizens of Austria and is so owned at the time of the return of its money or other property; or

“(18) A partnership, association, or other unincorporated body of individuals, having its principal place of business at such time within Austria, or a corporation organized or incorporated within Austria; or

“(19) An individual who at such time was a citizen of Austria or who, at the time of the return of any money or other property, is a citizen of Austria; or

“(20) A partnership, association, or other unincorporated body of individuals, or a corporation, and was entirely owned at such time by citizens of Hungary and is so owned at the time of the return of its money or other property; or

“(21) A partnership, association, or other unincorporated body of individuals, having its principal place of business at such time within Hungary, or a corporation organized or incorporated within Hungary; or

“(22) An individual who at such time was a citizen of Hungary or who, at the time of the return of any money or other property, is a citizen of Hungary;—”

SEC. 12. (a) Subsection (d) of section 9 of the Trading with the Enemy Act, as amended, is amended to read as follows:

“(d) Whenever an individual, deceased, would have been entitled, if living, to the return of any money or other property without filing the written consent provided for in subsection (m), then his legal representative may proceed for the return of such money or other property in the same manner as such individual might proceed if living, and such money or other property may be returned to such legal representative without requiring the appointment of an administrator, or an ancillary administrator, by a court in the United States, or to any such ancillary administrator, for distribution directly to the persons entitled thereto. Return in accordance with the provisions of this subsection may be made in any case where an application or court proceeding by any legal representative, under the provisions of this subsection before its amendment by the Settlement of War Claims Act of 1928, is pending and undetermined at the time of the enactment of such Act. All bonds or other security given under the provisions of this subsection before such amendment shall be canceled or released and all sureties thereon discharged.”

(b) Subsection (e) of section 9 of the Trading with the Enemy Act, as amended, is amended by striking out the period at the end thereof and inserting a semicolon and the following: “nor shall a debt be allowed under this section unless notice of the claim has been filed, or application therefor has been made, prior to the date of the enactment of the Settlement of War Claims Act of 1928.”

(c) Subsection (g) of section 9 of the Trading with the Enemy Act, as amended, is amended to read as follows:

"(g) Whenever an individual, deceased, would have been entitled, if living, to the return of any money or other property upon filing the written consent provided for in subsection (m), then his legal representative may proceed for the return of such money or other property in the same manner as such individual might proceed if living, and such money or other property may be returned, upon filing the written consent provided for in subsection (m), to such legal representative without requiring the appointment of an administrator, or an ancillary administrator, by a court in the United States, or to any such ancillary administrator, for distribution to the persons entitled thereto. This subsection shall not be construed as extinguishing or diminishing any right which any citizen of the United States may have had under this subsection prior to its amendment by the Settlement of War Claims Act of 1928 to receive in full his interest in the property of any individual dying before such amendment."

SEC. 13. Subsections (j) and (k) of section 9 of the Trading with the Enemy Act, as amended, are amended so as to comprise three subsections, to read as follows:

"(j) The Alien Property Custodian is authorized and directed to return to the person entitled thereto, whether or not an enemy or ally of enemy and regardless of the value, any patent, trade-mark, print, label, copyright, or right therein or claim thereto, which was conveyed, transferred, assigned, or delivered to the Alien Property Custodian, or seized by him, and which has not been sold, licensed, or otherwise disposed of under the provisions of this Act, and to return any such patent, trade-mark, print, label, copyright, or right therein or claim thereto, which has been licensed, except that any patent, trade-mark, print, label, copyright, or right therein or claim thereto, which is returned by the Alien Property Custodian and which has been licensed, or in respect of which any contract has been entered into, or which is subject to any lien or encumbrance, shall be returned subject to the license, contract, lien, or encumbrance.

"(k) Except as provided in section 27, paragraphs (12) to (22), both inclusive, of subsection (b) of this section shall apply to the proceeds received from the sale, license, or other disposition of any patent, trade-mark, print, label, copyright, or right therein or claim thereto, conveyed, transferred, assigned, or delivered to the Alien Property Custodian, or seized by him.

"(l) This section shall apply to royalties paid to the Alien Property Custodian, in accordance with a judgment or decree in a suit brought under subsection (f) of section 10; but shall not apply to any other money paid to the Alien Property Custodian under section 10."

SEC. 14. Section 9 of the Trading with the Enemy Act, as amended, is amended by adding at the end thereof the following new subsections:

"(m) No money or other property shall be returned under paragraph (12), (13), (14), or (16) of subsection (b) or under subsection (g) or (n) or (to the extent therein provided) under subsection (p), unless the person entitled thereto files a written consent to a postponement of the return of an amount

equal to 20 per centum of the aggregate value of such money or other property (at the time, as nearly as may be, of the return), as determined by the Alien Property Custodian, and the investment of such amount in accordance with the provisions of section 25. Such amount shall be deducted from the money to be returned to such person, so far as possible, and the balance shall be deducted from the proceeds of the sale of so much of the property as may be necessary, unless such person pays the balance to the Alien Property Custodian, except that no property shall be so sold prior to the expiration of six years from the date of the enactment of the Settlement of War Claims Act of 1928 without the consent of the person entitled thereto. The amounts so deducted shall be returned to the persons entitled thereto as provided in subsection (f) of section 25. The sale of any such property shall be made in accordance with the provisions of section 12, except that the provisions of such section relating to sales or resales to, or for the benefit of, citizens of the United States shall not be applicable. If such aggregate value of the money or other property to be returned under paragraph (12), (13), (14), or (16) of subsection (b) or under subsection (g) is less than \$2,000, then the written consent shall not be required and the money or other property shall be returned in full without the temporary retention and investment of 20 per centum thereof.

"(n) In the case of property consisting of stock or other interest in any corporation, association, company, or trust, or of bonded or other indebtedness thereof, evidenced by certificates of stock or by bonds or by other certificates of interest therein or indebtedness thereof, or consisting of dividends or interest or other accruals thereon, where the right, title, and interest in the property (but not the actual certificate or bond or other certificate of interest or indebtedness) was conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian, or seized by him, if the President determines that the owner thereof or of any interest therein has acquired such ownership by assignment, transfer, or sale of such certificate or bond or other certificate of interest or indebtedness, (it being the intent of this subsection that such assignment, transfer, or sale shall not be deemed invalid hereunder by reason of such conveyance, transfer, assignment, delivery, or payment to the Alien Property Custodian or seizure by him) and that the written consent provided for in subsection (m) has been filed, then the President may make in respect of such property an order of the same character, upon the same conditions, and with the same effect, as in cases provided for in subsection (b), including the benefits of subsection (c).

"(o) The provisions of paragraph (12), (13), (14), (17), (18), (19), (20), (21), or (22) of subsection (b), or of subsection (m) or (n) of this section, and (except to the extent therein provided) the provisions of paragraph (16) of subsection (b), shall not be construed as diminishing or extinguishing any right under any other provision of this Act in force immediately prior to the enactment of the Settlement of War Claims Act of 1928.

"(p) The Alien Property Custodian shall transfer the money or other

property in the trust of any partnership, association, or other unincorporated body of individuals, or corporation, the existence of which has terminated, to trusts in the names of the persons (including the German Government and members of the former ruling family) who have succeeded to its claim or interest; and the provisions of subsection (a) of this section relating to the collection of a debt (by order of the President or of a court) out of money or other property held by the Alien Property Custodian or the Treasurer of the United States shall be applicable to the debts of such successor and any such debt may be collected out of the money or other property in any of such trusts if not returnable under subsection (a) of this section. Subject to the above provisions as to the collection of debts, each such successor (except the German Government and members of the former ruling family) may proceed for the return of the amount so transferred to his trust, in the same manner as such partnership, association, or other unincorporated body of individuals, or corporation might proceed if still in existence. If such partnership, association, or other unincorporated body of individuals, or corporation, would have been entitled to the return of its money or other property only upon filing the written consent provided for in subsection (m), then the successor shall be entitled to the return under this subsection only upon filing such written consent.

"(q) The return of money or other property under paragraph (15), (17), (18), (19), (20), (21), or (22) of subsection (b) (relating to the return to Austrian and Hungarian nationals) shall be subject to the limitations imposed by subsections (d) and (e) of section 7 of the Settlement of War Claims Act of 1928."

SEC. 15. The Trading with the Enemy Act, as amended, is amended by adding thereto the following new sections:

"SEC. 26. (a) The Alien Property Custodian shall allocate among the various trusts the funds in the 'unallocated interest fund' (as defined in section 28). Such allocation shall be based upon the average rate of earnings (determined by the Secretary of the Treasury) on the total amounts deposited under section 12.

"(b) The Alien Property Custodian, when the allocation has been made, is authorized and directed to pay to each person entitled, in accordance with a final decision of a court of the United States or of the District of Columbia, or of an opinion of the Attorney General, to the distribution of any portion of such unallocated interest fund, the amount allocated to his trust, except as provided in subsection (c) of this section.

"(c) In the case of persons entitled, under paragraph (12), (13), (14), or (16) of subsection (b) of section 9, to such return, and in the case of persons who would be entitled to such return thereunder if all such money or property had not been returned under paragraph (9) or (10) of such subsection, and in the case of persons entitled to such return under subsection (n) of section 9, an amount equal to the aggregate amount allocated to their trusts shall be

credited against the sum of \$25,000,000 invested in participating certificates under paragraph (1) of subsection (b) of section 25. If the aggregate amount so allocated is in excess of \$25,000,000, an amount equal to the excess shall be invested in the same manner. Upon the repayment of any of the amounts so invested, under the provisions of section 4 of the Settlement of War Claims Act of 1928, the amount so repaid shall be distributed pro rata among such persons, notwithstanding any receipts or releases given by them.

"(d) The unallocated interest fund shall be available for carrying out the provisions of this section, including the expenses of making the allocation.

"SEC. 27. The Alien Property Custodian is authorized and directed to return to the United States any consideration paid to him by the United States under any license, assignment, or sale by the Alien Property Custodian to the United States of any patent (or any right therein or claim thereto, and including an application therefor and any patent issued pursuant to any such application).

"SEC. 28. As used in this Act, the term 'unallocated interest fund' means the sum of (1) the earnings and profits accumulated prior to March 4, 1923, and attributable to investments and reinvestments under section 12 by the Secretary of the Treasury, plus (2) the earnings and profits accumulated on or after March 4, 1923, in respect of the earnings and profits referred to in clause (1) of this section.

"SEC. 29. (a) Where the Alien Property Custodian has made demand or requirement for the conveyance, transfer, assignment, delivery, or payment to him of any money or other property of any enemy or ally of enemy (whether or not suit or proceeding for the enforcement thereof has been begun and whether or not any judgment or decree in respect thereof has been made or entered) and where the whole or any part of such money or other property would, if conveyed, transferred, assigned, delivered, or paid to him, be returnable under any provision of this Act, the Alien Property Custodian may, in his discretion, and on such terms and conditions as he may prescribe, waive such demand or requirement, or accept in full satisfaction of such demand, requirement, judgment, or decree, a less amount than that demanded or required by him.

"(b) The Alien Property Custodian shall not make any such waiver or compromise except with the approval of the Attorney General; nor (if any part of such money or property would be returnable only upon the filing of the written consent required by subsection (m) of section 9) unless, after compliance with the terms and conditions of such waiver or compromise, the Alien Property Custodian or the Treasurer of the United States will hold (in respect of such enemy or ally of enemy) for investment as provided in section 25, an amount equal to 20 per centum of the sum of (1) the value of the money or other property held by the Alien Property Custodian or the Treasurer of the United States at the time of such waiver or compromise, plus (2) the value of the money or other property to which the Alien Property Custodian would

be entitled under such demand or requirement if the waiver or compromise had not been made.

"(c) Where the Alien Property Custodian has made demand or requirement for the conveyance, transfer, assignment, delivery, or payment to him of any money or other property of any enemy or ally of enemy (whether or not suit or proceeding for the enforcement thereof has been begun and whether or not any judgment or decree in respect thereof has been made or entered) and where the interest or right of such enemy or ally of enemy in such money or property has not, prior to the enactment of the Settlement of War Claims Act of 1928, vested in enjoyment, the Alien Property Custodian may, in his discretion, and on such terms and conditions as he may prescribe, waive such demand and requirement, without compliance with the requirements of subsection (b) of this section, but only with the approval of the Attorney General.

"(d) Nothing in this section shall be construed as requiring the Alien Property Custodian to make any waiver or compromise authorized by this section, and the Alien Property Custodian may proceed in respect of any demand or requirement referred to in subsection (a) or (c) as if this section had not been enacted.

"(e) All money or other property received by the Alien Property Custodian as a result of any action or proceeding (whether begun before or after the enactment of the Settlement of War Claims Act of 1928, and whether or not for the enforcement of a demand or requirement as above specified) shall for the purposes of this Act be considered as forming a part of the trust in respect of which such action or proceeding was brought, and shall be subject to return in the same manner and upon the same conditions as any other money or property in such trust, except as otherwise provided in subsection (b) of this section.

"SEC. 30. Any money or other property returnable under subsection (b) or (n) of section 9 shall, at any time prior to such return, be subject to attachment in accordance with the provisions of the code of law for the District of Columbia, as amended, relating to attachments in suits at law and to attachments for the enforcement of judgments at law and decrees in equity, but any writ of attachment or garnishment issuing in any such suit, or for the enforcement of any judgment or decree, shall be served only upon the Alien Property Custodian, who shall for the purposes of this section be considered as holding credits in favor of the person entitled to such return to the extent of the value of the money or other property so returnable. Nothing in this section shall be construed as authorizing the taking of actual possession, by any officer of any court, of any money or other property held by the Alien Property Custodian or by the Treasurer of the United States.

"SEC. 31. As used in this Act, the term 'member of the former ruling family' means (1) any person who was at any time between April 6, 1917,

and July 2, 1921, the German Emperor or the ruler of any constituent kingdom of the German Empire, or (2) the wife or any child of such person."

#### FUGITIVES FROM JUSTICE

SEC. 16. Section 22 of the Trading with the Enemy Act, as amended, is amended to read as follows:

"SEC. 22. No person shall be entitled to the return of any property or money under any provision of this Act, or any amendment of this Act, who is a fugitive from justice of the United States or any State or Territory thereof, or the District of Columbia."

#### RETURN OF INCOME

SEC. 17. Section 23 of the Trading with the Enemy Act, as amended, is amended to read as follows:

"SEC. 23. The Alien Property Custodian is directed to pay to the person entitled thereto, from and after March 4, 1923, the net income (including dividends, interest, annuities, and other earnings), accruing and collected thereafter, in respect of any money or property held in trust for such person by the Alien Property Custodian or by the Treasurer of the United States for the account of the Alien Property Custodian, under such rules and regulations as the President may prescribe."

#### TAXES

SEC. 18. Section 24 of the Trading with the Enemy Act, as amended, is amended by inserting "(a)" after the section number and by adding at the end of such section new subsections to read as follows:

"(b) In the case of income, war-profits, excess-profits, or estate taxes imposed by any Act of Congress, the amount thereof shall, under regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, be computed in the same manner (except as hereinafter in this section provided) as though the money or other property had not been seized by or paid to the Alien Property Custodian, and shall be paid, as far as practicable, in accordance with subsection (a) of this section. Pending final determination of the tax liability the Alien Property Custodian is authorized to return, in accordance with the provisions of this Act, money or other property in any trust in such amounts as may be determined, under regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, to be consistent with the prompt payment of the full amount of the internal-revenue taxes.

"(c) So much of the net income of a taxpayer for the taxable year 1917, or any succeeding taxable year, as represents the gain derived from the sale or exchange by the Alien Property Custodian of any property conveyed, transferred, assigned, delivered, or paid to him, or seized by him, may at the option of the taxpayer be segregated from the net income and separately

taxed at the rate of 30 per centum. This subsection shall be applied and the amount of net income to be so segregated shall be determined, under regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, as nearly as may be in the same manner as provided in section 208 of the Revenue Act of 1926 (relating to capital net gains), but without regard to the period for which the property was held by the Alien Property Custodian before its sale or exchange, and whether or not the taxpayer is an individual.

"(d) Any property sold or exchanged by the Alien Property Custodian (whether before or after the date of the enactment of the Settlement of War Claims Act of 1928) shall be considered as having been compulsorily or involuntarily converted, within the meaning of the income, excess-profits, and war-profits tax laws and regulations; and the provisions of such laws and regulations relating to such a conversion shall (under regulations prescribed by the Commissioner of internal Revenue with the approval of the Secretary of the Treasury) apply in the case of the proceeds of such sale or exchange. For the purpose of determining whether the proceeds of such conversion have been expended within such time as will entitle the taxpayer to the benefits of such laws and regulations relating to such a conversion, the date of the return of the proceeds to the person entitled thereto shall be considered as the date of the conversion.

"(e) In case of any internal-revenue tax imposed in respect of property conveyed, transferred, assigned, delivered, or paid to the Alien Property Custodian, or seized by him, and imposed in respect of any period (in the taxable year 1917 or any succeeding taxable year) during which such property was held by him or by the Treasurer of the United States, no interest or civil penalty shall be assessed upon, collected from, or paid by or on behalf of, the taxpayer; nor shall any interest be credited or paid to the taxpayer in respect of any credit or refund allowed or made in respect of such tax.

"(f) The benefits of subsections (c), (d), and (e) shall be extended to the taxpayer if claim therefor is filed before the expiration of the period of limitations properly applicable thereto, or before the expiration of six months after the date of the enactment of the Settlement of War Claims Act of 1928, whichever date is the later. The benefits of subsection (d) shall also be extended to the taxpayer if claim therefor is filed before the expiration of six months after the return of the proceeds."

SEC. 19. Subsection (f) of section 10 of the Trading with the Enemy Act, as amended, is amended by adding at the end thereof the following new paragraph:

"In the case of any such patent, trade-mark, print, label, or copyright, conveyed, assigned, transferred, or delivered to the Alien Property Custodian or seized by him, any suit brought under this subsection, within the time-limited therein, shall be considered as having been brought by the owner within the meaning of this subsection, in so far as such suit relates to royal-

ties for the period prior to the sale by the Alien Property Custodian of such patent, trade-mark, print, label, or copyright, if brought either by the Alien Property Custodian or by the person who was the owner thereof immediately prior to the date such patent, trade-mark, print, label, or copyright was seized or otherwise acquired by the Alien Property Custodian."

SEC. 20. The proviso of paragraph (10) of subsection (b) of section 9 of the Trading with the Enemy Act, as amended (relating to the return to certain insurance companies), is repealed.

#### SHIP CLAIMS OF FORMER GERMAN NATIONALS

SEC. 21. (a) It shall be the duty of the Arbiter to hear the claims of any partnership, association, joint-stock company, or corporation, and to determine the amount of compensation to be paid to it by the United States, in respect of the merchant vessels "Carl Diederichsen" and "Johanne" (including any equipment, appurtenances, and property contained therein), title to which was taken by or on behalf of the United States under the authority of the Joint Resolution of May 12, 1917, and which were subsequently sold by or on behalf of the United States. Such compensation shall be determined as provided in paragraph (1) of subsection (b) of section 3 of this Act, but the aggregate compensation shall not exceed, in the case of the "Carl Diederichsen," \$166,787.78 and in the case of the "Johanne," \$174,600 (such amounts being the price for which the vessels were sold, less the cost of reconditioning). The Arbiter shall not make any award under this section in respect of the claim of any partnership, association, joint-stock company, or corporation unless it appears to his satisfaction that all its members and stockholders who were, on April 6, 1917, citizens or subjects of Germany, became, by virtue of any treaty of peace or plebiscite held or further treaty concluded under such treaty of peace, citizens or subjects of any nation other than Germany, and that all its members and stockholders on the date of the enactment of this Act were on such date citizens or subjects of nations other than Germany.

(b) Upon the determination by him of such compensation the Arbiter shall enter an award in favor of such person of the amount of such compensation and shall certify such award to the Secretary of the Treasury. The amount of such award, together with interest thereon, at the rate of 5 per centum per annum, from July 2, 1921, until the date of such payment, shall be paid by the Secretary of the Treasury, in accordance with such regulations as he may prescribe. There is authorized to be appropriated such amount as may be necessary to make such payment.

(c) No payment shall be made in respect of any award under this section unless application therefor is made, within two years after the date such award is certified, in accordance with such regulations as the Secretary of the Treasury may prescribe, and payment shall be made only to the person on behalf of whom the award was made except in the cases specified in para-

graphs (1) to (4) of subsection (k) of section 3. The provisions of subsections (c), (l), (m), (o), and (r) of section 3 shall be applicable in carrying out the provisions of this section.

(d) The provisions of this section shall constitute the exclusive method for the presentation and payment of claims arising out of any of the acts by or on behalf of the United States for which this section provides a remedy. Any person who files any claim or makes application for any payment under this section shall be held to have consented to all the provisions of this Act. This subsection shall not bar the presentation of a claim under section 3 (relating to the ship claims of German nationals) in respect of the taking of the vessel "Carl Diederichsen" or the vessel "Johanne"; but no award shall be made under section 3 in respect of either of such vessels to or on behalf of any person to whom or on whose behalf an award is made under this section in respect of such vessel.

#### DEFINITIONS

##### SEC. 22. As used in this Act—

(a) The term "person" means an individual, partnership, association, or corporation.

(b) The term "German national" means—

(1) An individual who, on April 6, 1917, was a citizen or subject of Germany, or who, on the date of the enactment of this Act, is a citizen or subject of Germany.

(2) A partnership, association, or corporation, which, on April 6, 1917, was organized or created under the law of Germany.

(3) The Government of Germany.

(c) The term "member of the former ruling family" means (1) any person who was at any time between April 6, 1917, and July 2, 1921, the German Emperor or the ruler of any constituent kingdom of the German Empire, or (2) the wife or any child of such person.

(d) The term "Austrian national" means—

(1) An individual who, on December 7, 1917, was a citizen of Austria, or who, on the date of the enactment of this Act, is a citizen of Austria.

(2) A partnership, association, or corporation which, on December 7, 1917, was organized or created under the law of Austria.

(3) The Government of Austria.

(e) The term "Hungarian national" means—

(1) An individual who, on December 7, 1917, was a citizen of Hungary, or who, on the date of the enactment of this Act, is a citizen of Hungary.

(2) A partnership, association, or corporation which, on December 7, 1917, was organized or created under the law of Hungary.

(3) The Government of Hungary.

(f) The term "United States" when used in a geographical sense includes the Territories and possessions of the United States and the District of Columbia.

**LEGISLATIVE COUNSEL AND SPECIAL ASSISTANT TO THE  
SECRETARY OF THE TREASURY**

SEC. 23. (a) Section 1303 (d) of the Revenue Act of 1918, as amended by section 1101 of the Revenue Act of 1924, is amended by adding at the end thereof a sentence to read as follows: "Notwithstanding the foregoing provisions, the compensation of each of the two legislative counsel in office upon the date of the enactment of the Settlement of War Claims Act of 1928 shall, after such date, be at the rate of \$10,000 a year,"

(b) The salary of the Special Assistant to the Secretary of the Treasury in matters of legislation, so long as the position is held by the present incumbent, shall be at the rate of \$10,000 a year.

Approved, March 10, 1928.

**CONVENTION AND STATUTE ON THE INTERNATIONAL  
RÉGIME OF MARITIME PORTS AND PROTOCOL  
OF SIGNATURE<sup>1</sup>**

Signed at Geneva, December 9, 1923. Ratifications deposited by Belgium (excluding Belgian Congo and Territory of Ruanda-Urundi), May 16, 1927; British Empire, Aug. 29, 1924; New Zealand and India, April 1, 1925; Denmark (excluding Greenland), April 27, 1926; Greece, Jan. 24, 1927; Japan, Sept. 30, 1926; Siam, Jan. 9, 1925; Sweden, Sept. 15, 1927; Switzerland, Oct. 23, 1927. Final accessions deposited by Austria, Jan. 20, 1927; Newfoundland, April 23, 1925; Southern Rhodesia, April 23, 1925; Australia, June 29, 1925; British colonies, protectorates and mandated territories, Sept. 22, 1925. Accessions subject to ratification deposited by France, Dec. 1, 1924; Panama, July 31, 1925. The Convention and the Protocol came into force on July 26, 1926. (League of Nations Official Journal, November, 1927, pp. 1514-1516.)

The British Empire (with New Zealand and India), Germany, Belgium, Brazil, Bulgaria, Chile, Denmark, Spain, Estonia, Greece, Hungary, Italy, Japan, Lithuania, Norway, the Netherlands, Salvador, Kingdom of the Serbs, Croats and Slovenes, Siam, Sweden, Switzerland, Czechoslovakia and Uruguay.

Desirous of ensuring in the fullest measure possible the freedom of communications mentioned in Article 23 (e) of the Covenant by guaranteeing in the maritime ports situated under their sovereignty or authority and for purposes of international trade equality of treatment between the ships of all the contracting states, their cargoes and passengers;

Considering that the best method of achieving their present purpose is by means of a general convention to which the greatest possible number of states can later accede;

And whereas the conference which met at Genoa on the 10th April, 1922, requested, in a resolution which was transmitted to the competent organizations of the League of Nations with the approval of the Council and the Assembly of the League, that the international conventions relating to the régime of communications provided for in the Treaties of Peace should be concluded and put into operation as soon as possible, and whereas, Article 379 of the Treaty of Versailles and the corresponding articles of the other treaties provide for the preparation of a general convention on the international régime of ports;

<sup>1</sup> G. B. Treaty Series No. 24 (1925).

Having accepted the invitation of the League of Nations to take part in a conference which met at Geneva on the 15th November, 1923;

Desirous of bringing into force the provisions of the statute relating to the international régime of ports adopted thereat, and of concluding a general convention for this purpose, the high contracting parties have appointed as their plenipotentiaries:

The President of the German Reich: M. Gottfried Aschmann, Consul-General at Geneva;

His Majesty the King of the Belgians: M. Xavier Neujean, Minister of Railways, Mercantile Marine, Posts, Telegraphs and Telephones of Belgium, delegate at the Second General Conference on Communications and Transit;

The President of the Republic of the United States of Brazil: Commandant-Major E. Leitão de Carvalho, Staff Officer, Professor at the Staff College of Rio de Janeiro, delegate at the Second General Conference on Communications and Transit; and M. Eliseu da Fonseca Montarroyos, member of the Advisory and Technical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: Sir Hubert Llewellyn Smith, G.C.B., Chief Economic Adviser of the British Government, delegate at the Second General Conference on Communications and Transit;

For the Dominion of New Zealand: The Hon. Sir James Allen, K.C.B., High Commissioner for New Zealand in the United Kingdom;

For India: The Right Hon. Lord Hardinge of Penhurst, K.G., G.C.B., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., I.S.O., Privy Councillor, former Viceroy, former Ambassador;

His Majesty the King of the Bulgarians: M. D. Mikoff, Chargé d'Affaires at Berne;

The President of the Republic of Chile: M. Francisco Rivas Vicuña, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, to the President of the Czechoslovak Republic, to the President of the Austrian Federal Republic and to His Serene Highness the Governor of Hungary, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of Denmark: M. P. A. Holek-Colding, Director of Section at the Ministry of Public Works, member of the Advisory and Technical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of Spain: M. Guillermo Brockmann y Abarzuza, Inspector-General of Roads, Canals and Ports, member of the Advisory and Technical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

The President of the Estonian Republic: M. Charles Robert Pusta, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic, member of the Advisory and Technical Committee for

Communications and Transit, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of the Hellenes: M. A. Politis, Technical Representative of the Hellenic Government in Paris, delegate at the Second General Conference on Communications and Transit; and M. Demetre G. Phocas, Captain in the Hellenic Navy, delegate at the Second General Conference on Communications and Transit;

His Serene Highness the Governor of Hungary: M. Emile de Walter, Ministerial Counsellor at the Royal Hungarian Ministry for Foreign Affairs, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of Italy: M. Paolo Bignami, former Under-Secretary of State, former member of the Chamber of Deputies, delegate at the Second General Conference on Communications and Transit;

His Majesty the Emperor of Japan: Mr. S. Okuyama, Counsellor of Embassy, Assistant Head of the Japanese League of Nations Office in Paris, delegate at the Second General Conference on Communications and Transit;

The President of the Republic of Lithuania: M. C. Dobkevicius, Counsellor at the Lithuanian Legation in Paris, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of Norway: M. Gabriel Smith, delegate at the Second General Conference on Communications and Transit;

Her Majesty the Queen of the Netherlands: Jonkheer W. J. M. van Eysinga, Professor at the University of Leyden, member of the Advisory and Technical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

The President of the Republic of Salvador: M. J. G. Guerrero, Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic and to His Majesty the King of Italy, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of the Serbs, Croats and Slovenes: M. B. Voukovitch, Director of the State Railways, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of Siam: M. Phya Sanpakitch Preecha, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Spain and to His Majesty the King of Italy, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of Sweden: Baron Alströmer, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council;

The Swiss Federal Council: Dr. Robert Herold, Director of the Railway Division of the Federal Department of Posts and Railways, member of the Advisory and Technical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

The President of the Czechoslovak Republic: M. J. Dvoráček, Minister Plenipotentiary and Head of the Economic Department of the Ministry for Foreign Affairs;

The President of the Republic of Uruguay: M. Benjamin Fernández y Medina, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Spain, chairman of the Advisory and Technical Committee for Communications and Transit;

Who, after communicating their full powers, found in good and due form, have agreed as follows:

#### ARTICLE 1

The contracting states declare that they accept the Statute on the International Régime of Maritime Ports, annexed hereto, adopted by the Second General Conference on Communications and Transit which met at Geneva on the 15th November, 1923.

This statute shall be deemed to constitute an integral part of the present convention.

Consequently, they hereby declare that they accept the obligations and undertakings of the said statute in conformity with the terms and in accordance with the conditions set out therein.

#### ARTICLE 2

The present convention does not in any way affect the rights and obligations arising out of the provisions of the Treaty of Peace signed at Versailles on the 28th June, 1919, or out of the provisions of the other corresponding treaties, in so far as they concern the Powers which have signed, or which benefit by, such treaties.

#### ARTICLE 3

The present convention, of which the French and English texts are both authentic, shall bear this day's date, and shall be open for signature until the 31st October, 1924, by any state represented at the conference of Geneva, by any member of the League of Nations, and by any states to which the Council of the League of Nations shall have communicated a copy of the convention for this purpose.

#### ARTICLE 4

The present convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify their receipt to every state signatory of or acceding to the convention.

#### ARTICLE 5

On and after the 1st November, 1924, the present convention may be acceded to by any state represented at the conference referred to in Article 1, by any member of the League of Nations, or by any state to which the Council of the League of Nations shall have communicated a copy of the convention for this purpose.

Accessions shall be effected by an instrument communicated to the Secretary-General of the League of Nations to be deposited in the archives of the secretariat. The Secretary-General shall at once notify such deposit to every state signatory of or acceding to the convention.

**ARTICLE 6**

The present convention will not come into force until it has been ratified in the name of five states. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the fifth ratification. Thereafter, the present convention will take effect in the case of each party ninety days after the receipt of its ratification or of the notification of its accession.

In compliance with the provisions of Article 18 of the Covenant of the League of Nations, the Secretary-General will register the present convention upon the day of its coming into force.

**ARTICLE 7**

A special record shall be kept by the Secretary-General of the League of Nations showing, with due regard to the provisions of Article 9, which of the parties have signed, ratified, acceded to or denounced the present convention. This record shall be open to the members of the League at all times; it shall be published as often as possible, in accordance with the directions of the Council.

**ARTICLE 8**

Subject to the provisions of Article 2 above, the present convention may be denounced by any party thereto after the expiration of five years from the date when it came into force in respect of that party. Denunciation shall be effected by notification in writing addressed to the Secretary-General of the League of Nations. Copies of such notification shall be transmitted forthwith by him to all the other parties, informing them of the date on which it was received.

A denunciation shall take effect one year after the date on which the notification thereof was received by the Secretary-General, and shall operate only in respect of the notifying state.

**ARTICLE 9**

Any state signing or acceding to the present convention may declare at the moment either of its signature, ratification or accession, that its acceptance of the present convention does not include any or all of its colonies, overseas possessions, protectorates, or overseas territories, under its sovereignty or authority, and may subsequently accede, in conformity with the provisions of Article 5, on behalf of any such colony, overseas possession, protectorate or territory excluded by such declaration.

Denunciation may also be made separately in respect of any such colony, overseas possession, protectorate or territory, and the provisions of Article 8 shall apply to any such denunciation.

**ARTICLE 10**

The revision of the present convention may be demanded at any time by one-third of the contracting states.

In faith whereof the above-named plenipotentiaries have signed the present convention.

Done at Geneva the 9th day of December, 1923, in a single copy which shall remain deposited in the archives of the secretariat of the League of Nations.

Germany:	GOTTFRIED ASCHMANN.
Belgium:	XAVIER NEUJEAN.
Brazil:	E. LEITAO DE CARVALHO. E. MONTARROYOS.
British Empire:	H. LLEWELLYN SMITH.
New Zealand:	J. ALLEN.
India:	HARDINGE OF PENSURST.
Bulgaria:	D. MIKOFF.
Chile:	FRANCISCO RIVAS VICUÑA.
Denmark:	A. HOLCK-COLDING.
Spain:	GMO. BROCKMANN.
	Subject to the right relating to emigration mentioned in Article 12 (twelve) of this Statute. (Translation.)
Esthonia:	C. R. PUSTA.
Greece:	A. POLITIS. D. G. PHOCAS.
	Subject to the right relating to emigration mentioned in Article 12 (twelve) of this Statute. (Translation.)
Hungary:	WALTER.
Italy:	PAOLO BIGNAMI.
	Subject to the right relating to emigration mentioned in Article 12 (twelve) of this Statute. (Translation.)
Japan:	S. OKUYAMA.
Lithuania:	DOBKEVICIUS.
	Subject to the right relating to emigration mentioned in Article 12 (twelve) of this Statute. (Translation.)
Norway:	GABRIEL SMITH.
Netherlands:	V. EYSINGA.
	With the exception of the overseas territories, Netherlands Indies, Surinam and Curaçao. (Translation.)
Salvador:	J. GUSTAVO GUERRERO.
Kingdom of the Serbs, Croats and Slovenes:	B. VOUKOVITCH.
	Subject to the right relating to emigration mentioned in Article 12 (twelve) of this Statute. (Translation.)
Siam:	PHYA SANPAKITCH PREECHA.
Sweden:	ALSTRÖMER.
Switzerland:	HEROLD.
Czechoslovakia:	J. DVORÁČEK.
	Subject to the right relating to emigration mentioned in Article 12 (twelve) of this Statute. (Translation.)
Uruguay:	B. FERNANDEZ Y MEDINA.

## STATUTE

## ARTICLE 1

All ports which are normally frequented by sea-going vessels and used for foreign trade shall be deemed to be maritime ports within the meaning of the present statute.

## ARTICLE 2

Subject to the principle of reciprocity and to the reservation set out in the first paragraph of Article 8, every contracting state undertakes to grant the vessels of every other contracting state equality of treatment with its own vessels, or those of any other state whatsoever, in the maritime ports situated under its sovereignty or authority, as regards freedom of access to the port, the use of the port, and the full enjoyment of the benefits as regards navigation and commercial operations which it affords to vessels, their cargoes and passengers.

The equality of treatment thus established shall cover facilities of all kinds, such as allocation of berths, loading and unloading facilities, as well as dues and charges of all kinds levied in the name or for the account of the government, public authorities, concessionaries or undertakings of any kind.

## ARTICLE 3

The provisions of the preceding article in no way restrict the liberty of the competent port authorities to take such measures as they may deem expedient for the proper conduct of the business of the port provided that these measures comply with the principle of equality of treatment as defined in the said article.

## ARTICLE 4

All dues and charges levied for the use of maritime ports shall be duly published before coming into force.

The same shall apply to the by-laws and regulations of the port.

In each maritime port the port authority shall keep open for inspection, by all persons concerned, a table of the dues and charges in force, as well as a copy of the by-laws and regulations.

## ARTICLE 5

In assessing and applying customs and other analogous duties, local octroi or consumption duties, or incidental charges, levied on the importation or exportation of goods through the maritime ports situated under the sovereignty or authority of the contracting states, the flag of the vessel must not be taken into account and, accordingly, no distinction may be made to the detriment of the flag of any contracting state whatsoever as between that flag and the flag of the state under whose sovereignty or authority the port is situated, or the flag of any other state whatsoever.

**ARTICLE 6**

In order that the principle of equal treatment in maritime ports laid down in Article 2 may not be rendered ineffective in practice by the adoption of other methods of discrimination against the vessels of a contracting state using such ports, each contracting state undertakes to apply the provisions of Articles 4, 20, 21 and 22 of the statute annexed to the Convention on the International Régime of Railways, signed at Geneva, on the 9th December, 1923, so far as they are applicable to traffic to or from a maritime port, whether or not such contracting state is a party to the said Convention on the International Régime of Railways. The aforesaid articles are to be interpreted in conformity with the provisions of the protocol of signature of the said convention. (See Annex.)

**ARTICLE 7**

Unless there are special reasons justifying an exception, such as those based upon special geographical, economic or technical conditions, the customs duties levied in any maritime port situated under the sovereignty or authority of a contracting state may not exceed the duties levied on the other customs frontiers of the said state on goods of the same kind, source or destination.

If, for special reasons as set out above, a contracting state grants special customs facilities on other routes for the importation or exportation of goods, it shall not use these facilities as a means of discriminating unfairly against importation or exportation through the maritime ports situated under its sovereignty or authority.

**ARTICLE 8**

Each of the contracting states reserves the power, after giving notice through diplomatic channels, of suspending the benefit of equality of treatment from any vessel of a state which does not effectively apply, in any maritime port situated under its sovereignty or authority, the provisions of this statute to the vessels of the said contracting state, their cargoes and passengers.

In the event of action being taken as provided in the preceding paragraph, the state which has taken action and the state against which action is taken, shall both alike have the right of applying to the Permanent Court of International Justice by an application addressed to the registrar; and the court shall settle the matter in accordance with the rules of summary procedure.

Every contracting state shall, however, have the right at the time of signing or ratifying this convention, of declaring that it renounces the right of taking action as provided in the first paragraph of this article against any other state which may make a similar declaration.

**ARTICLE 9**

This statute does not in any way apply to the maritime coasting trade.

**ARTICLE 10**

Each contracting state reserves the right to make such arrangements for towage in its maritime ports as it thinks fit, provided that the provisions of Articles 2 and 4 are not thereby infringed.

**ARTICLE 11**

Each contracting state reserves the right to organize and administer pilotage services as it thinks fit. Where pilotage is compulsory, the dues and facilities offered shall be subject to the provisions of Articles 2 and 4, but each contracting state may exempt from the obligation of compulsory pilotage such of its nationals as possess the necessary technical qualifications.

**ARTICLE 12**

Each contracting state shall have the power, at the time of signing or ratifying this convention, of declaring that it reserves the right of limiting the transport of emigrants, in accordance with the provisions of its own legislation, to vessels which have been granted special authorization as fulfilling the requirements of the said legislation. In exercising this right, however, the contracting state shall be guided, as far as possible, by the principles of this statute.

The vessels so authorized to transport emigrants shall enjoy all the benefits of this statute in all maritime ports.

**ARTICLE 13**

This statute applies to all vessels, whether publicly or privately owned or controlled.

It does not, however, apply in any way to warships or vessels performing police or administrative functions, or, in general, exercising any kind of public authority, or any other vessels which for the time being are exclusively employed for the purposes of the naval, military or air forces of a state.

**ARTICLE 14**

This statute does not in any way apply to fishing vessels or to their catches.

**ARTICLE 15**

Where in virtue of a treaty, convention or agreement a contracting state has granted special rights to another state within a defined area in any of its maritime ports for the purpose of facilitating the transit of goods or passengers to or from the territory of the said state, no other contracting state can invoke the stipulations of this statute in support of any claim for similar special rights.

Every contracting state which enjoys the aforesaid special rights in a maritime port of another state, whether contracting or not, shall conform to the provisions of this statute in its treatment of the vessels trading with it, and their cargoes and passengers.

Every contracting state which grants the aforesaid special rights to a non-contracting state is bound to impose, as one of the conditions of the grant, an obligation on the state which is to enjoy the aforesaid rights to conform to the provisions of this statute in its treatment of the vessels trading with it, and their cargoes and passengers.

#### ARTICLE 16

Measures of a general or particular character which a contracting state is obliged to take in case of an emergency affecting the safety of the state or the vital interests of the country may, in exceptional cases, and for as short a period as possible, involve a deviation from the provisions of Articles 2 to 7 inclusive; it being understood that the principles of the present statute must be observed to the utmost possible extent.

#### ARTICLE 17

No contracting state shall be bound by this statute to permit the transit of passengers whose admission to its territories is forbidden, or of goods of a kind of which the importation is prohibited, either on grounds of public health or security, or as a precaution against diseases of animals or plants. As regards traffic other than traffic in transit, no contracting state shall be bound by this statute to permit the transport of passengers whose admission to its territories is forbidden, or of goods of which the import or export is prohibited, by its national laws.

Each contracting state shall be entitled to take the necessary precautionary measures in respect of the transport of dangerous goods or goods of a similar character, as well as general police measures, including the control of emigrants entering or leaving its territory, it being understood that such measures must not result in any discrimination contrary to the principles of the present statute.

Nothing in this statute shall affect the measures which one of the contracting states is or may feel called upon to take in pursuance of general international conventions to which it is a party, or which may be concluded hereafter, particularly conventions concluded under the auspices of the League of Nations, relating the traffic in women and children, the transit, export or import of particular kinds of articles such as opium or other dangerous drugs, arms, or the produce of fisheries, or in pursuance of general conventions intended to prevent any infringement of industrial, literary or artistic property, or relating to false marks, false indications of origin or other methods of unfair competition.

#### ARTICLE 18

This statute does not prescribe the rights and duties of belligerents and neutrals in time of war. The statute shall, however, continue in force in time of war so far as such rights and duties permit.

**ARTICLE 19**

The contracting states undertake to introduce into those conventions in force on the 9th December, 1923, which contravene the provisions of this statute, so soon as circumstances permit, and in any case on the expiry of such conventions, the modifications required to bring them into harmony with such provisions, so far as the geographical, economic or technical circumstances of the countries or areas concerned allow.

The same shall apply to concessions granted before the 9th December, 1923, for the total or partial exploitation of maritime ports.

**ARTICLE 20**

This statute does not entail in any way the withdrawal of facilities which are greater than those provided for in the statute and which have been granted in respect of the use of maritime ports under conditions consistent with its principles. This statute also entails no prohibition of such grant of greater facilities in the future.

**ARTICLE 21**

Without prejudice to the provisions of the second paragraph of Article 8, disputes which may arise between contracting states as to the interpretation or the application of the present statute shall be settled in the following manner:

Should it prove impossible to settle such dispute either directly between the parties or by any other method of amicable settlement, the parties to the dispute may, before resorting to any procedure of arbitration or to a judicial settlement, submit the dispute for an advisory opinion to the body established by the League of Nations as the advisory and technical organization of members of the League for matters of communications and transit. In urgent cases a preliminary opinion may be given recommending temporary measures, including measures to restore the facilities for international traffic which existed before the act or occurrence which gave rise to the dispute.

Should it prove impossible to settle the dispute by any of the methods of procedure enumerated in the preceding paragraph, the contracting states shall submit their dispute to arbitration, unless they have decided, or shall decide, under an agreement between them, to bring it before the Permanent Court of International Justice.

**ARTICLE 22**

If the case is submitted to the Permanent Court of International Justice, it shall be heard and determined under the conditions laid down in Article 27 of the statute of the court.

If arbitration is resorted to, and unless the parties decide otherwise, each party shall appoint an arbitrator, and a third member of the arbitral tribunal shall be elected by the arbitrators, or, in case the latter are unable to agree,

shall be selected by the Council of the League of Nations from the list of assessors for communications and transit cases mentioned in Article 27 of the Statute of the Permanent Court of International Justice; in such latter case, the third arbitrator shall be selected in accordance with the provisions of the penultimate paragraph of Article 4 and the first paragraph of Article 5 of the Covenant of the League.

The arbitral tribunal shall judge the case on the basis of the terms of reference mutually agreed upon between the parties. If the parties have failed to reach an agreement, the arbitral tribunal, acting unanimously, shall itself draw up terms of reference after considering the claims formulated by the parties; if unanimity cannot be obtained, the Council of the League of Nations shall decide the terms of reference under the conditions laid down in the preceding paragraph. If the procedure is not determined by the terms of reference, it shall be settled by the arbitral tribunal.

During the course of the arbitration the parties, in the absence of any contrary provision in the terms of reference, are bound to submit to the Permanent Court of International Justice any question of international law or question as to the legal meaning of this statute the solution of which the arbitral tribunal, at the request of one of the parties, pronounces to be a necessary preliminary to the settlement of the dispute.

#### ARTICLE 23

It is understood that this statute must not be interpreted as regulating in any way rights and obligations *inter se* of territories forming part of or placed under the protection of the same sovereign state, whether or not these territories are individually contracting states.

#### ARTICLE 24

Nothing in the preceding articles is to be construed as affecting in any way the rights or duties of a contracting state as member of the League of Nations.

#### ANNEX

Text of the articles of the Statute on the International Régime of Railways and of the provisions relating thereto contained in the Protocol of Signature.

##### *Article 4*

Recognizing the necessity of granting sufficient elasticity in the operation of railways to allow the complex needs of traffic to be met, it is the intention of the contracting states to maintain unimpaired full freedom of operation while ensuring that such freedom is exercised without detriment to international traffic.

They undertake to give reasonable facilities to international traffic and to

refrain from all discrimination of an unfair nature directed against the other contracting states, their nationals or their vessels.

The benefit of the provisions of the present article is not confined to traffic governed by a single contract; it extends also to the traffic dealt with in Articles 21 and 22 of the present statute subject to the conditions specified in the said articles.

#### *Article 20*

The contracting states, recognizing the necessity in general of leaving tariffs sufficient flexibility to permit of their being adapted as closely as possible to the complex needs of trade and commercial competition, retain full freedom to frame their tariffs in accordance with the principles accepted by their own legislation, provided that this freedom is exercised without detriment to international traffic.

They undertake to apply to international traffic tariffs which are reasonable both as regards their amounts and the conditions of their application, and undertake to refrain from all discrimination of an unfair nature directed against the other contracting states, their nationals or their vessels.

These provisions shall not prevent the establishment of combined rail and sea tariffs which comply with the principles laid down in the previous paragraphs.

#### *Article 21*

The benefit of the provisions of Article 20 shall not be confined to transport based on single contracts. It shall extend equally to transport made up of successive stages by rail, by sea or by any other mode of transport traversing the territory of more than one contracting state and regulated by separate contracts, subject to the fulfilment of the following conditions:

Each of the successive contracts must specify the initial source and final destination of the consignment; during the whole duration of carriage the goods must remain under the supervision of the carriers and must be forwarded by each carrier to his successor direct and without delay other than that necessary for the completion of the transport operations and the customs, octroi, police or other administrative formalities.

#### *Article 22*

The provisions of Article 20 shall be equally applicable to internal as well as to international traffic by rail as regards goods which remain temporarily at the port without regard to the flag under which they have been imported or will be exported.

#### *Protocol of Signature*

It is understood that any differential treatment of flags based solely on the consideration of the flag should be considered as discrimination of an unfair nature in the sense of Articles 4 and 20 of the Statute on the International Régime of Railways.

PROTOCOL OF SIGNATURE OF THE CONVENTION ON THE  
INTERNATIONAL RÉGIME OF MARITIME PORTS

At the moment of signing the convention of to-day's date, relating to the international régime of maritime ports, the undersigned, duly authorized, have agreed as follows:

1. It is understood that the provisions of the present statute shall apply to ports of refuge specially constructed for that purpose.
2. It is understood that the British Government's reservation as to the provisions of Section 24 of the Pilotage Act of 1913 is accepted.
3. It is understood that the obligations laid down in French law in regard to ship-brokers shall not be regarded as contrary to the principle and spirit of the Statute on the International Régime of Maritime Ports.
4. It is understood that the condition of reciprocity laid down in Article 2 of the Statute on the International Régime of Maritime Ports shall not exclude from the benefit of the said statute contracting states which have no maritime ports and do not enjoy in any zone of a maritime port of another state the rights mentioned in Article 15 of the said statute.
5. In the event of the flag or nationality of a contracting state being identical with the flag or nationality of a state or territory which is outside the convention, no claim can be advanced on behalf of the latter state or territory to the benefits assured by this statute to the flags or nationals of contracting states.

The present protocol will have the same force, effect and duration as the statute of to-day's date, of which it is to be considered as an integral part.

In faith whereof the above-mentioned plenipotentiaries have signed the present protocol.

Done at Geneva, the 9th day of December, 1923, in a single copy, which will remain deposited in the archives of the secretariat of the League of Nations; certified copies will be transmitted to all the States represented at the conference.

[*Here follow the same signatures as those appearing at the end of the convention.*]

**CONVENTION RELATIVE TO THE TRANSMISSION IN TRANSIT  
OF ELECTRIC POWER, AND PROTOCOL OF SIGNATURE<sup>1</sup>**

Signed at Geneva, December 9, 1923. Ratifications deposited by Austria, Jan. 20, 1927; British Empire, April 1, 1925; New Zealand, April 1, 1925; Czechoslovakia, Nov. 30, 1926; Denmark, April 27, 1926. Final accessions deposited by Newfoundland and Southern Rhodesia, April 23, 1925; British colonies, protectorates and mandated territories, Sept. 22, 1925. The Convention and Protocol came into force on July 26, 1926. (League of Nations Official Journal, November, 1927, pp. 1516-1517.)

The British Empire (with New Zealand), Austria, Belgium, Bulgaria, Chile, Denmark, the Free City of Danzig, Spain, France, Greece, Hungary, Italy, Lithuania, Poland, Kingdom of the Serbs, Croats and Slovenes, Czechoslovakia and Uruguay.

Desirous of facilitating international co-operation by way of the conclusion between states interested therein of agreements concerning the transmission in transit of electric power;

Having accepted the invitation of the League of Nations to take part in a conference which met at Geneva on the 15th November, 1923;

Wishing to conclude a general convention for this purpose,

The high contracting parties have appointed as their plenipotentiaries:

The President of the Austrian Republic: M. Emerich Pflügl, Resident Minister, representative of the Federal Government accredited to the League of Nations, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of the Belgians: M. Xavier Neujean, Minister of Railways, Mercantile Marine, Posts, Telegraphs and Telephones of Belgium, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: Sir Hubert Llewellyn Smith, G.C.B., Chief Economic Adviser of the British Government, delegate at the Second General Conference on Communications and Transit;

For the Dominion of New Zealand: The Honorable Sir James Allen, K.C.B., High Commissioner for New Zealand in the United Kingdom;

His Majesty the King of the Bulgarians: M. D. Mikoff, Chargé d'Affaires at Berne;

The President of the Republic of Chile: M. Francisco Rivas Vicuña, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, to the President of the Czechoslovak Republic, to the President of the Austrian Federal Republic and to His Serene Highness the Governor of Hungary, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of Denmark: M. P. A. Holck-Colding, Director of Section at the Ministry of Public Works, member of the Advisory and Tech-

<sup>1</sup> G. B. Treaty Series No. 25 (1925).

nical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

The President of the Polish Republic (for the Free City of Danzig): Professor Bohdan Winiarski, vice-chairman of the Advisory and Technical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of Spain: M. Guillermo Brockmann y Abarzuza, Inspector-General of Roads, Canals and Ports, member of the Advisory and Technical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

The President of the French Republic: M. Maurice Sibille, Member of Parliament, member of the Advisory and Technical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of the Hellenes: M. A. Politis, technical representative of the Hellenic Government in Paris, delegate at the Second General Conference on Communications and Transit, and M. Demetre G. Phocas, captain in the Hellenic navy, delegate at the Second General Conference on Communications and Transit;

His Serene Highness the Governor of Hungary: M. Emile de Walter, Ministerial Counsellor at the Royal Hungarian Ministry for Foreign Affairs, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of Italy: M. Paolo Bignami, former Under-Secretary of State, former Member of the Chamber of Deputies, delegate at the Second General Conference on Communications and Transit;

The President of the Republic of Lithuania: M. C. Dobkevicius, Counsellor at the Lithuanian Legation in Paris, delegate at the Second General Conference on Communications and Transit;

The President of the Polish Republic: Professor Bohdan Winiarski, vice-chairman of the Advisory and Technical Committee for Communications and Transit, delegate at the Second General Conference on Communications and Transit;

His Majesty the King of the Serbs, Croats and Slovenes: M. B. Voukovitch, Director of the State Railways, delegate at the Second General Conference on Communications and Transit;

The President of the Czechoslovak Republic: M. J. Dvoráček, Minister Plenipotentiary and Head of the Economic Department of the Ministry for Foreign Affairs;

The President of the Republic of Uruguay: M. Benjamin Fernandez y Medina, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Spain, chairman of the Advisory and Technical Committee for Communications and Transit; who, after communicating their full powers, found in good and due form, have agreed as follows:

**ARTICLE 1**

Each contracting state undertakes, on the request of any other contracting state, to negotiate, with a view to the conclusion of agreements for ensuring the transmission in transit of electric power across its territory.

Nevertheless, the contracting states reserve the right to hold themselves free from the obligations of paragraph 1 of the present article if they can represent that the transmission in transit of electric power across their territory would be seriously detrimental to their national economy or security.

**ARTICLE 2**

Electric power shall be considered as transmitted in transit across the territory of a contracting state when it crosses the said territory by means of conductors erected for this purpose alone without being wholly or in part produced, utilized or transformed within such territory.

**ARTICLE 3**

The technical methods which may be adopted for the purpose of Article 1, paragraph 1, shall be based exclusively upon considerations which might legitimately be taken into account in the case of similar internal transmissions, it being understood, however, that in exceptional cases political frontiers may be taken into account, provided that the methods referred to are not materially affected thereby.

**ARTICLE 4**

The agreements contemplated in Article 1 may provide, amongst other things, for

- (a) The general conditions for the construction and upkeep of the lines.
- (b) Equitable contributions for the state across whose territory the transmission in transit takes place towards expenses, risks, damage or charges of every kind, and costs of administration and control, incurred as a result of the construction and working of the lines, as well as for the repayment of the cost of upkeep, if necessary.
- (c) The methods for exercising technical control and securing public safety.
- (d) The means to be used for making any necessary telephonic or telegraphic communications in connection with the working of the transmission in transit of electric power.
- (e) The procedure for settling disputes in regard to the interpretation and application of the agreements.

**ARTICLE 5**

The construction of lines, the transmission in transit and the necessary installations shall be subject, in the state across the territory of which the transmission takes place, to the legal and administrative provisions applicable to the construction of lines, the transmission of electric power and similar installations in that state, in accordance with its legislation.

**ARTICLE 6**

The transmission in transit of electric power shall not be subject to special dues or charges solely on the ground that such transmission is effected in transit.

**ARTICLE 7**

The contracting states shall, in their territory and within the limits of their national laws, endeavor to facilitate the application of the agreements contemplated in Article 1.

**ARTICLE 8**

The provisions of the present convention shall not oblige any state to employ powers of expropriation or to enforce the grant of way leaves.

**ARTICLE 9**

This convention does not prescribe the rights and duties of belligerents and neutrals in time of war. The convention shall, however, continue in force in time of war so far as such rights and duties permit.

**ARTICLE 10**

This convention does not entail in any way the withdrawal of facilities which are greater than those provided for in it and which have been granted to the transmission of electric power under conditions consistent with its principles. This convention also entails no prohibition of such grant or greater facilities in the future.

**ARTICLE 11**

The present convention does not in any way affect the rights and obligations of the contracting states arising out of former conventions or treaties on the subject-matter of the present convention, or out of the provisions on the same subject-matter in general treaties, including the Treaties of Versailles, Trianon and other treaties which ended the war of 1914-18.

**ARTICLE 12**

If a dispute arises between contracting states as to the application or interpretation of the present convention, and if such dispute cannot be settled either directly between the parties or by some other amicable method of procedure, the parties to the dispute may submit it for an advisory opinion to the body established by the League of Nations as the advisory and technical organization of the members of the League in matters of communication and transit, unless they have decided or shall decide by mutual agreement to have recourse to some other advisory, arbitral or judicial procedure.

The provisions of the preceding paragraph shall not be applicable to any state which represents that the transmission in transit would be seriously detrimental to its national economy or security.

**ARTICLE 13**

It is understood that this convention must not be interpreted as regulating in any way rights and obligations *inter se* of territories forming part of or placed under the protection of the same sovereign state, whether or no these territories are individually contracting states.

**ARTICLE 14**

Nothing in the preceding articles is to be construed as affecting in any way the rights or duties of a contracting state as member of the League of Nations.

**ARTICLE 15**

The present convention, of which the French and English texts are both authentic, shall bear this day's date and shall be open for signature until the 31st October, 1924, by any state represented at the conference of Geneva, by any member of the League of Nations, and by any states to which the Council of the League of Nations shall have communicated a copy of the convention for this purpose.

**ARTICLE 16**

The present convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify their receipt to every state signatory of or acceding to the convention.

**ARTICLE 17**

On and after the 1st November, 1924, the present convention may be acceded to by any state represented at the conference of Geneva, by any member of the League of Nations, or by any state to which the Council of the League of Nations shall have communicated a copy of the convention for this purpose.

Accession shall be effected by an instrument communicated to the Secretary-General of the League of Nations to be deposited in the archives of the secretariat. The Secretary-General shall at once notify such deposit to every state signatory of or acceding to the convention.

**ARTICLE 18**

The present convention will not come into force until it has been ratified in the name of three states. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the third ratification. Thereafter, the present convention will take effect, in the case of each party, ninety days after the receipt of its ratification or of the notification of its accession.

In compliance with the provisions of Article 18 of the Covenant of the League of Nations, the Secretary-General will register the present convention upon the day of its coming into force.

**ARTICLE 19**

A special record shall be kept by the Secretary-General of the League of Nations showing, with due regard to the provisions of Article 21, which of the parties have signed, ratified, acceded to or denounced the present convention. This record shall be open to the members of the League at all times; it shall be published as often as possible, in accordance with the directions of the Council.

**ARTICLE 20**

Subject to the provisions of Article 11 above, the present convention may be denounced by any party thereto after the expiration of five years from the date when it came into force in respect of that party. Denunciation shall be effected by notification in writing addressed to the Secretary-General of the League of Nations. Copies of such notification shall be transmitted forthwith by him to all the other parties, informing them of the date on which it was received.

A denunciation shall take effect one year after the date on which the notification thereof was received by the Secretary-General and shall operate only in respect of the notifying state.

**ARTICLE 21**

Any state signing or acceding to the present convention may declare, at the moment either of its signature, ratification or accession, that its acceptance of the present convention does not include any or all of its colonies, overseas possessions, protectorates, or overseas territories, under its sovereignty or authority, and may subsequently accede in conformity with the provisions of Article 17, on behalf of any such colony, overseas possession, protectorate or territory excluded by such declaration.

Denunciation may also be made separately in respect of any such colony, overseas possession, protectorate or territory, and the provisions of Article 20 shall apply to any such denunciation.

**ARTICLE 22**

A request for the revision of the present convention may be made at any time by one-third of the contracting states.

In faith whereof the above-named plenipotentiaries have signed the present convention.

Done at Geneva, the 9th day of December, 1923, in a single copy which shall remain deposited in the archives of the secretariat of the League of Nations.

Austria:

EMERICH PFLÜGL.

Belgium:

XAVIER NEUJEAN.

British Empire:

H. LLEWELLYN SMITH.

New Zealand:	J. ALLEN.
Bulgaria:	D. MIKOFF.
Chile:	FRANCISCO RIVAS VICUÑA.
Denmark:	A. HOLCK-COLDING
Free City of Danzig:	BOHDAN WINIARSKI.
Spain:	GMO. BROCKMANN.
France:	MAURICE SIBILLE.
	Subject to the reservation contained in article 21 of the present convention to the effect that its provisions do not apply to the various protectorates, colonies, possessions or overseas territories under the sovereignty or authority of the French Republic. (Translation.)
Greece:	A. POLITIS.
	D. G. PHOCAS.
Hungary:	WALTER.
Italy:	PAOLO BIGNAMI.
Lithuania:	DOBKEVICIUS.
Poland:	BOHDAN WINIARSKI.
Kingdom of the Serbs, Croats and Slovenes:	B. VOUKOVITCH.
Czechoslovakia:	J. DVORÁCEK.
Uruguay:	B. FERNANDEZ Y MEDINA.

PROTOCOL OF SIGNATURE OF THE CONVENTION RELATING  
TO THE TRANSMISSION IN TRANSIT OF ELECTRIC POWER

At the moment of signing the convention of to-day's date, relating to transmission in transit of electric power, the undersigned, duly authorized, have agreed as follows:

The convention in no way obliges any contracting state to give persons owning or working cables for transmission in transit of electric power more favorable treatment in its territory than is enjoyed by persons owning or working cables for transmission of electric power in the interior of the country.

The convention shall not apply to lines solely intended for the transmission of signals or of the human voice.

The present protocol will have the same force, effect and duration as the convention of to-day's date, of which it is to be considered as an integral part.

In faith whereof the above-named plenipotentiaries have signed the present protocol.

Done at Geneva, the 9th day of December, 1923, in a single copy, which will remain deposited in the archives of the secretariat of the League of Nations; certified copies will be transmitted to all the states represented at the conference.

*[Here follow the same signatures as those appearing at the end of the convention.]*

## MULTIPARTITE INTERNATIONAL INSTRUMENTS OF LEGISLATIVE EFFECT<sup>1</sup>

### I. 1864-1914

[Abbreviations: *A. J. I. L. Supp.*, Supplement to the American Journal of International Law; *Br. & For. St. Pap.*, British and Foreign State Papers; *Doc. Cong. Post.*, Documents du Congrès Postale de Madrid; *Hertslet*, Hertslet, Map of Europe by Treaty; *I. L. O. B.*, International Labor Office, Official Bulletin; *J. O.*, Journal Officiel (France); *L. N. doc.*, League of Nations document; *L. N. O. J.*, League of Nations Official Journal; *L. N. Tr. Ser.*, League of Nations Treaty Series; *N. R. G.*, Martens, Nouveau Recueil Général de Traités; *R. D. M. C.*, Revue de Droit Maritime Comparée; *U. S. Tr.*, Treaties and Conventions between the United States of America and Other Powers, 1776-1923.]

1.	1864	CONVENTION FOR THE AMELIORATION OF THE CONDITION OF THE WOUNDED <i>Aug. 22</i>	IN ARMIES IN THE FIELD. Geneva. (1 <i>A. J. I. L. Supp.</i> 90; 55 <i>Br. &amp; For. St. Pap.</i> 43; 2 <i>U. S. Tr.</i> 1903.)
2.	1865	TELEGRAPHÉ CONVENTION. St. Cloud.	(56 <i>Br. &amp; For. St. Pap.</i> 295.) <i>May 17</i>
3.	<i>May 31</i>	CONVENTION CONCERNING THE CAPE SPARTEL LIGHTHOUSE. Tangier.	(4 <i>A. J. I. L. Supp.</i> 14; 55 <i>Br. &amp; For. St. Pap.</i> 16; 1 <i>U. S. Tr.</i> 1217.)
4.	<i>Nov. 2</i>	PUBLIC ACT OF THE EUROPEAN COMMISSION OF THE DANUBE. Galatz.	(55 <i>Br. &amp; For. St. Pap.</i> 93.)
5.	<i>Dec. 23</i>	CONVENTION OF THE LATIN MONETARY UNION. Paris.	(56 <i>Br. &amp; For. St. Pap.</i> 207.)
6.	1866	CONVENTION CONCERNING TARIFF REGULATIONS OF JAPAN. Yeddo.	(58 <i>Br. &amp; For. St. Pap.</i> 317; 1 <i>U. S. Tr.</i> 1012.) <i>June 25</i>
7.	1868	CONVENTION MODIFYING THE TELEGRAPH CONVENTION OF MAY 17, 1865. Vienna.	(59 <i>Br. &amp; For. St. Pap.</i> 322.) <i>July 21</i>
8.	<i>Oct. 17</i>	CONVENTION AND PROTOCOL CONCERNING THE NAVIGATION OF THE RHINE. Mannheim.	(59 <i>Br. &amp; For. St. Pap.</i> 470.)
9.	<i>Oct. 20</i>	CONVENTION EXTENDING THE GENEVA CONVENTION OF AUG. 22, 1864, TO NAVAL WARFARE. Geneva.	(1 <i>A. J. I. L. Supp.</i> 92; 73 <i>Br. &amp; For. St. Pap.</i> 1113.)
10.	<i>Dec. 11</i>	DECLARATION CONCERNING THE USE OF EXPLOSIVE PROJECTILES IN WAR. St. Petersburg.	(1 <i>A. J. I. L. Supp.</i> 95; 58 <i>Br. &amp; For. St. Pap.</i> 16.)
11.	1869	CLOSING PROTOCOL OF THE CONFERENCE CONCERNING THE ST. GOTTHARD RAILWAY. Berne.	(19 <i>N. R. G.</i> , <i>i ser.</i> , 82.) <i>Oct. 13</i>
12.	1871	PROTOCOL CONCERNING THE INVIOABILITY OF TREATIES. London.	(61 <i>Br. &amp; For. St. Pap.</i> 1198; 3 <i>Hertslet</i> , 1904.) <i>Jan. 17</i>
13.	1872	CONVENTION MODIFYING THE TELEGRAPH CONVENTIONS OF MAY 17, 1865, AND JULY 21, 1868. Rome.	(66 <i>Br. &amp; For. St. Pap.</i> 975.) <i>Jan. 14</i>
14.	1873	SCANDINAVIAN MONETARY CONVENTION AND ADDITIONAL ARTICLE. Copenhagen.	(1 <i>N. R. G.</i> , <i>ii ser.</i> , 290.) <i>May 27</i>
15.	1874	ADDITIONAL CONVENTION OF THE LATIN MONETARY UNION. Paris.	(65 <i>Br. &amp; For. St. Pap.</i> 479.) <i>Jan. 31</i>

<sup>1</sup> Appendix to article on "The Development of International Law since the War," by Manley O. Hudson, this JOURNAL, p. 330.

This list has been compiled with the assistance of Mr. Malcolm H. Frost. The compilation has been based upon an attempt to select legislative instruments of some general interest, but the exclusions and inclusions have necessarily been to some extent arbitrary. The writer would appreciate suggestions of changes which ought to be made in the list, by way either of subtraction or of addition.—M. O. H.

16. Oct. 9 TREATY RELATING TO THE FORMATION OF A GENERAL POSTAL UNION.  
Berne. (65 *Br. & For. St. Pap.* 13.)

17. 1875 CONVENTION CONCERNING THE CREATION OF AN INTERNATIONAL BUREAU  
*May 20* OF WEIGHTS AND MEASURES. Paris. (66 *Br. & For. St. Pap.* 562; 2  
*U. S. Tr.* 1924.)

18. July 22 TELEGRAPH CONVENTION. St. Petersburg. (7 *A. J. I. L. Supp.* 276; 66  
*Br. & For. St. Pap.* 19.)

19. 1878 CONVENTION FOR THE FORMATION OF A UNIVERSAL POSTAL UNION OF OCT.  
*June 1* 9, 1874. Paris. (69 *Br. & For. St. Pap.* 210.)

20. Sept. 17 CONVENTION REGARDING MEASURES TO BE TAKEN AGAINST THE PHYLLOXERA  
VASTATRIX. Berne. (69 *Br. & For. St. Pap.* 619.)

21. 1879 REGULATIONS FOR EXECUTION OF THE TELEGRAPH CONVENTION OF JULY  
*July 28* 22, 1875. London. (70 *Br. & For. St. Pap.* 62.)

22. 1880 CONVENTION CONCERNING PROTECTION IN MOROCCO. Madrid. (6  
*July 3* *A. J. I. L. Supp.* 18; 71 *Br. & For. St. Pap.* 639; 1 *U. S. Tr.* 1220.)

23. Nov. 3 CONVENTION CONCERNING EXCHANGE OF PARCELS POST. Paris. (71 *Br.*  
& *For. St. Pap.* 356.)

24. 1881 REGULATIONS CONCERNING THE PAYMENT OF AGRARIAN AND GATE TAXES  
*Mar. 30* IN MOROCCO. Tangier. (72 *Br. & For. St. Pap.* 636.)

25. May 19 REGULATIONS RELATIVE TO NAVIGATION AND POLICE ON THE DANUBE.  
(9 *N. R. G.*, *ii ser.*, 254.)

26. May 28 ADDITIONAL ACT AND PROTOCOL CONCERNING THE REGULATION OF NAVI-  
GATION ON THE DANUBE. Galatz. (72 *Br. & For. St. Pap.* 7.)

27. Nov. 3 CONVENTION MODIFYING THE CONVENTION OF SEPTEMBER 17, 1878, RE-  
GARDING MEASURES TO BE TAKEN AGAINST THE PHYLLOXERA VASTATRIX.  
Berne. (73 *Br. & For. St. Pap.* 323.)

28. May 6 CONVENTION CONCERNING THE POLICE OF THE NORTH SEA FISHERIES.  
The Hague. (73 *Br. & For. St. Pap.* 39.)

29. 1883 TREATY CONCERNING THE NAVIGATION OF THE DANUBE. London. (74  
*Mar. 10* *Br. & For. St. Pap.* 20; 4 *Hertslet*, 3104.)

30. Mar. 20 CONVENTION CONCERNING THE PROTECTION OF INDUSTRIAL PROPERTY.  
Paris. (4 *A. J. I. L. Supp.* 143; 74 *Br. & For. St. Pap.* 44; 2 *U. S. Tr.*  
1935.)

31. 1884 CONVENTION AND PROTOCOL CONCERNING SUBMARINE CABLES. Paris.  
*Mar. 14* (75 *Br. & For. St. Pap.* 356; 2 *U. S. Tr.* 1949.)

32. Nov. 1 FINAL ACT OF THE CONFERENCE ESTABLISHING THE WORLD'S PRIME  
MERIDIAN. Washington. (*H. Ex. Doc. No. 14*, 48th *U. S. Cong.*, 2d,  
*sess. III.*)

33. 1885<sup>2</sup> GENERAL ACT OF THE CONFERENCE OF BERLIN CONCERNING THE CONGO  
*Feb. 26* AND THE SLAVE TRAFFIC IN AFRICA. Berlin. (3 *A. J. I. L. Supp.* 7;  
76 *Br. & For. St. Pap.* 4.)

34. Mar. 17 DECLARATION CONCERNING THE NAVIGATION OF THE SUEZ CANAL. Lon-  
don. (76 *Br. & For. St. Pap.* 345.)

35. Mar. 18 CONVENTION RELATIVE TO THE FINANCES OF EGYPT. London. (76 *Br.*  
& *For. St. Pap.* 351.)

36. Mar. 21 ADDITIONAL ACT TO THE CONVENTION OF JUNE 1, 1878, ESTABLISHING A  
UNIVERSAL POSTAL UNION. Lisbon. (76 *Br. & For. St. Pap.* 21.)

37. Mar. 21 ADDITIONAL ACT AND PROTOCOL TO PARCEL POST CONVENTION OF NOV. 3,  
1880. Lisbon. (76 *Br. & For. St. Pap.* 1315.)

<sup>2</sup>See also, the Convention concerning the Regulation of Salmon Fishing in the Rhine,  
June 30, 1885. Berlin. 11 *N. R. G.* *ii ser.*, 561.

38. Mar. 21 ADDITIONAL ACT MODIFYING THE REGULATIONS OF JUNE 1, 1878, FOR THE EXECUTION OF THE CONVENTION ESTABLISHING A UNIVERSAL POSTAL UNION. Lisbon. (76 *Br. & For. St. Pap.* 29.)

39. Mar. 21 ADDITIONAL ACT TO THE AGREEMENT OF JUNE 1, 1878, AND ADDITIONAL ACT TO THE REGULATIONS AND ORDER FOR THE EXECUTION OF THE AGREEMENT CONCERNING LETTERS OF DECLARED VALUE. Lisbon. (76 *Br. & For. St. Pap.* 1333, 1335.)

40. Mar. 21 ADDITIONAL ACT TO THE AGREEMENT OF JUNE 4, 1878, AND ADDITIONAL ACT TO THE REGULATIONS AND ORDER FOR THE EXECUTION OF THE AGREEMENT CONCERNING MONEY ORDERS. Lisbon. (76 *Br. & For. St. Pap.* 1326, 1329.)

41. Mar. 21 AGREEMENT AND REGULATIONS CONCERNING "SERVICE DES RECOUVREMENTS." Lisbon. (76 *Br. & For. St. Pap.* 1336, 1340.)

42. Mar. 21 AGREEMENT CONCERNING POSTAL CERTIFICATES OF IDENTITY. Lisbon. (76 *Br. & For. St. Pap.* 1345.)

43. Sept. 17 REGULATIONS IN EXECUTION OF THE TELEGRAPH CONVENTION OF JULY 22, 1875. Berlin. (76 *Br. & For. St. Pap.* 597.)

44. Nov. 6 CONVENTION, ARRANGEMENT, DECLARATION AND ADDITIONAL ACT OF THE LATIN MONETARY UNION. Paris. (76 *Br. & For. St. Pap.* 315.)

45. Nov. 19 CONVENTION ESTABLISHING AN INTERNATIONAL STANDARD OF CONCERT PITCH. Vienna. (10 *Trattati e Convenzioni tra Il Regno d'Italia*, 727.)

46. 1886<sup>2</sup> CONVENTION FOR THE EXCHANGE OF OFFICIAL DOCUMENTS AND SCIENTIFIC AND LITERARY PUBLICATIONS. Brussels. (4 *A. J. I. L. Supp.* 181; 77 *Br. & For. St. Pap.* 886.)

47. Mar. 15 CONVENTION FOR THE EXCHANGE OF THE "JOURNAL OFFICIEL" AND OF PARLIAMENTARY RECORDS AND DOCUMENTS. Brussels. (77 *Br. & For. St. Pap.* 888.)

48. May 15 CONVENTION CONCERNING THE TECHNICAL UNITY OF RAILWAYS. (17 *de Clerq, Recueil des Traites de La France*, 347.)

49. May 15 PROTOCOL CONCERNING THE SEALING OF RAILWAY TRUCKS SUBJECT TO CUSTOMS INSPECTION. (22 *N. R. G.*, *ii ser.*, 42.)

50. Sept. 9 CONVENTION CREATING THE INTERNATIONAL UNION FOR THE PROTECTION OF LITERARY AND ARTISTIC WORKS. Berne. (77 *Br. & For. St. Pap.* 22.)

51. Dec. 1 DECLARATION CONCERNING SUBMARINE CABLES. Paris. (77 *Br. & For. St. Pap.* 1140.)

52. 1887 CONVENTION CONCERNING LIQUOR TRAFFIC IN THE NORTH SEA. (79 *Br. & For. St. Pap.* 894.)

53. 1888 CONVENTION, PROTOCOL AND DECLARATION DESTINED TO SECURE BY RECIPROCAL ENGAGEMENTS THE TOTAL SUPPRESSION OF BOUNTIES, OPEN OR DISGUISED, IN THE EXPORTATION OF SUGARS. London. (15 *N. R. G.*, *ii ser.*, 60.)

54. Oct. 29 CONVENTION CONCERNING THE FREE NAVIGATION OF THE SUEZ CANAL. Constantinople. 3 *A. J. I. L. Supp.* 123; 79 *Br. & For. St. Pap.* 18.)

55. 1889 TREATY CONCERNING PATENTS OF INVENTIONS. Montevideo. (18 *N. R. G.*, *ii ser.*, 421.)

56. Jan. 11 CONVENTION FOR THE PROTECTION OF LITERARY AND ARTISTIC PROPERTY. Montevideo. (90 *Br. & For. St. Pap.* 680.)

57. Jan. 11 TREATY RELATING TO THE LAW OF PROCEDURE. Montevideo. (18 *N. R. G.*, *ii ser.* 414.)

<sup>2</sup>For list of documents concerning the International Geodetic Association, see Myers, Manual of Collections of Treaties, pp. 466 ff.

58. Jan. 11 TREATY RELATING TO LITERARY AND ARTISTIC PROPERTY. Montevideo. (18 *N. R. G.*, *ii ser.*, 418.)

59. Jan. 16 TREATY RELATING TO TRADE MARKS. Montevideo. (18 *N. R. G.*, *ii ser.*, 453.)

60. Jan. 23 DECLARATION RELATING TO INTERNATIONAL PENAL LAW. Montevideo. (18 *N. R. G.*, *ii ser.*, 432.)

61. Feb. 1 ADDITIONAL CONVENTION TO THE NORTH SEA FISHERIES CONVENTION OF MAY 6, 1882. The Hague. (81 *Br. & For. St. Pap.* 9.)

62. Feb. 3 CONVENTION CONCERNING THE APPLICATION OF LAWS IN THE CONTRACTING STATES. Montevideo. (18 *N. R. G.*, *ii ser.*, 456.)

63. Feb. 4 CONVENTION CONCERNING THE PRACTICE OF THE LIBERAL PROFESSIONS. Montevideo. (18 *N. R. G.*, *ii ser.*, 441.)

64. Feb. 12 TREATY RELATIVE TO INTERNATIONAL CIVIL LAW. Montevideo. (18 *N. R. G.*, *ii ser.*, 443.)

65. Feb. 12 CONVENTION CONCERNING THE COLLECTION OF COMMERCIAL INFORMATION. Montevideo. (18 *N. R. G.*, *ii ser.*, 424.)

66. Apr. 15 DECLARATION COMPLETING ARTICLE 3 OF THE CONVENTION OF NOV. 3, 1881, CONCERNING THE MEASURES TO BE TAKEN AGAINST THE PHYLOXERA VASTATRIX. Berne. (81 *Br. & For. St. Pap.* 1311.)

67. Dec. 31 FINAL ACT AND RESOLUTIONS OF THE INTERNATIONAL MARINE CONFERENCE. Washington. (5 *A. J. I. L. Supp.* 42; 81 *Br. & For. St. Pap.* 705.)

68. 1890 REVISED SERVICE REGULATIONS ANNEXED TO THE TELEGRAPH CONVENTION OF JULY 22, 1875. Paris. (82 *Br. & For. St. Pap.* 869.)

June 21

69. July 2 GENERAL ACT AND DECLARATION CONCERNING THE SLAVE TRADE AND THE IMPORTATION OF FIREARMS AND SPIRITUOUS LIQUORS INTO AFRICA. Brussels. (3 *A. J. I. L. Supp.* 29; 82 *Br. & For. St. Pap.* 55.)

70. July 5 CONVENTION CREATING AN INTERNATIONAL UNION FOR THE PUBLICATION OF CUSTOMS TARIFFS. Brussels. (82 *Br. & For. St. Pap.* 340.)

71. Oct. 14 CONVENTION CONCERNING THE TRANSPORT OF MERCHANDISE BY RAILWAY. Berne. (82 *Br. & For. St. Pap.* 771.)

72. 1891 AGREEMENT CONCERNING THE REGISTRATION OF TRADE MARKS. Madrid. (96 *Br. & For. St. Pap.* 839.)

Apr. 14

73. Apr. 14 AGREEMENT CONCERNING THE PREVENTION OF FALSE INDICATION OF ORIGIN OF GOODS. Madrid. (96 *Br. & For. St. Pap.* 837.)

74. Apr. 15 PROTOCOL CONCERNING THE EXPENSES OF THE INTERNATIONAL BUREAU OF INDUSTRIAL PROPERTY. Madrid. (4 *A. J. I. L. Supp.* 153; 83 *Br. & For. St. Pap.* 676.)

75. July 4 CONVENTION AND PROTOCOL OF THE UNIVERSAL POSTAL UNION. Vienna. (83 *Br. & For. St. Pap.* 513, 540.)

76. July 4 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING THE EXCHANGE OF LETTERS AND BOXES OF DECLARED VALUE. Vienna. (83 *Br. & For. St. Pap.* 947.)

77. July 4 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING MONEY ORDERS. Vienna. (83 *Br. & For. St. Pap.* 963.)

78. July 4 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING PARCELS POST. Vienna. (83 *Br. & For. St. Pap.* 976.)

79. July 4 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING "SERVICE DES RECOUVREMENTS." Vienna. (83 *Br. & For. St. Pap.* 998.)

80. July 4 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING POSTAL CERTIFICATES OF IDENTITY. Vienna. (83 *Br. & For. St. Pap.* 1007.)

81. July 4 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING POSTAL SUBSCRIPTIONS TO NEWSPAPERS. Vienna. (83 *Br. & For. St. Pap.* 1013.)

82. 1892 CONVENTION CONCERNING SANITARY REFORMS IN EGYPT. Venice. (84 *Br. & For. St. Pap.* 12.)  
Jan. 30

83. 1893 SANITARY CONVENTION. Dresden. (85 *Br. & For. St. Pap.* 7.)  
Apr. 15

84. Sept. 20 DECLARATION ADDITIONAL TO THE RAILWAY GOODS TRAFFIC CONVENTION OF OCTOBER 14, 1890. Berne. (85 *Br. & For. St. Pap.* 750.)

85. Sept. 27 FINAL PROTOCOL OF THE INTERNATIONAL CONFERENCE ON PRIVATE INTERNATIONAL LAW. The Hague. (87 *Br. & For. St. Pap.* 116.)

86. Nov. 15 CONVENTION OF THE LATIN MONETARY UNION, MODIFYING THE CONVENTION OF NOVEMBER 6, 1885. Paris. (85 *Br. & For. St. Pap.* 389.)

87. 1894 CONVENTION FOR THE PROTECTION OF PILGRIMS TO MECCA. Paris. (87 *Br. & For. St. Pap.* 78.)  
Apr. 3

88. July 13 FINAL PROTOCOL OF THE INTERNATIONAL CONFERENCE ON PRIVATE INTERNATIONAL LAW. The Hague. (87 *Br. & For. St. Pap.* 126.)

89. 1895 ADDITIONAL AGREEMENT AMENDING THE CONVENTION OF OCT. 14, 1890,  
July 16 CONCERNING THE TRANSPORT OF MERCHANDISE BY RAILWAY. Berne. (87 *Br. & For. St. Pap.* 806.)

90. Sept. 18 ADDITIONAL ARTICLE TO THE CONVENTION AND PROTOCOL OF OCT. 17, 1868, CONCERNING THE NAVIGATION OF THE RHINE. Mannheim. (87 *Br. & For. St. Pap.* 788.)

91. 1896 ADDITIONAL ACT AND DECLARATION MODIFYING THE CONVENTION OF SEPT.  
May 4 9, 1886 CONCERNING THE PROTECTION OF LITERARY AND ARTISTIC PROPERTY. Paris. (88 *Br. & For. St. Pap.* 36, 41.)

92. June 2 REGULATIONS MODIFYING REGULATIONS CONCERNING TAXES IN MOROCCO OF MARCH 30, 1881. Tangier. (64 *Staatsarchiv*, 337.)

93. July 22 REVISED SERVICE REGULATIONS ANNEXED TO THE TELEGRAPH CONVENTION OF JULY 22, 1875. Budapest. (88 *Br. & For. St. Pap.* 1120.)

94. Nov. 14 CONVENTION CONCERNING PRIVATE INTERNATIONAL LAW. The Hague. (88 *Br. & For. St. Pap.* 555.)

95. 1897 INTERNATIONAL SANITARY CONVENTION AND REGULATIONS. Venice. (89  
Mar. 19 *Br. & For. St. Pap.* 159.)

96. May 22 ADDITIONAL PROTOCOL TO THE CONVENTION OF NOV. 14, 1896, CONCERNING PRIVATE INTERNATIONAL LAW. The Hague. (88 *Br. & For. St. Pap.* 559.)

97. June 15 CONVENTION OF THE UNIVERSAL POSTAL UNION. Washington. (89 *Br. & For. St. Pap.* 65.)

98. June 15 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING POSTAL SUBSCRIPTIONS TO NEWSPAPERS. Washington. (90 *Br. & For. St. Pap.* 1079.)

99. June 15 ARRANGEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING THE EXCHANGE OF LETTERS OF DECLARED VALUE. Washington. (90 *Br. & For. St. Pap.* 1087.)

100. June 15 CONVENTION OF THE UNIVERSAL POSTAL UNION CONCERNING PARCEL POST. Washington. (90 *Br. & For. St. Pap.* 1104.)

101. June 15 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING MONEY ORDERS. Washington. (90 *Br. & For. St. Pap.* 1127.)

102. June 15 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING "SERVICE DES RECOUVREMENTS." Washington. (90 *Br. & For. St. Pap.* 1141.)

103. June 15 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING POSTAL CERTIFICATES OF IDENTITY. Washington. (90 *Br. & For. St. Pap.* 1151.)

104. Oct. 29 ADDITIONAL CONVENTION SUPPLEMENTING THAT OF NOV. 6, 1885, CONCERNING THE LATIN MONETARY UNION. Paris. (89 *Br. & For. St. Pap.* 587.)

105. 1898 CONVENTION CONCERNING THE TONNAGE MEASUREMENT OF VESSELS IN  
Feb. 4 INLAND NAVIGATION. Brussels. (90 *Br. & For. St. Pap.* 303.)

106. Mar. 15 ADDITIONAL PROTOCOL TO CONVENTION OF NOV. 15, 1893, CONCERNING THE  
LATIN MONETARY UNION. Paris. (90 *Br. & For. St. Pap.* 333.)

107. June 16 ADDITIONAL CONVENTION TO THE CONVENTION OF OCT. 14, 1890, CONCERNING  
THE TRANSPORT OF MERCHANDISE BY RAILWAY. Paris. (92 *Br. & For. St. Pap.* 433.)

108. 1899 CONVENTION CONCERNING THE IMPORTATION OF SPIRITUOUS LIQUORS INTO  
June 8 CERTAIN REGIONS OF AFRICA. Brussels. (3 *A. J. I. L. Supp.* 70;  
91 *Br. & For. St. Pap.* 6.)

109. July 29 CONVENTION FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.  
The Hague. (1 *A. J. I. L. Supp.* 107; 91 *Br. & For. St. Pap.* 970; 2 *U. S. Tr.* 2016.)

110. July 29 CONVENTION CONCERNING THE LAWS AND CUSTOMS OF WAR ON LAND.  
The Hague. (1 *A. J. I. L. Supp.* 129; 91 *Br. & For. St. Pap.* 988; 2 *U. S. Tr.* 2042.)

111. July 29 CONVENTION ADAPTING THE PRINCIPLES OF THE GENEVA CONVENTION OF  
AUG. 22, 1864, TO MARITIME WARFARE. The Hague. (1 *A. J. I. L. Supp.* 159; 91 *Br. & For. St. Pap.* 1002; 2 *U. S. Tr.* 2035.)

112. July 29 DECLARATION PROHIBITING FOR FIVE YEARS THE DROPPING OF EXPLOSIVES  
FROM BALLOONS. The Hague. (1 *A. J. I. L. Supp.* 153; 91 *Br. & For. St. Pap.* 1011; 2 *U. S. Tr.* 2032.)

113. July 29 CONVENTION PROHIBITING THE USE OF GAS IN WAR. The Hague. (1  
*A. J. I. L. Supp.* 157; 91 *Br. & For. St. Pap.* 1014.)

114. July 29 CONVENTION PROHIBITING THE USE OF EXPANDING BULLETS. The Hague.  
(1 *A. J. I. L. Supp.* 155; 91 *Br. & For. St. Pap.* 1017.)

115. 1900 DECLARATION AMENDING THE REGULATIONS ANNEXED TO THE SANITARY  
Jan. 24 CONVENTION OF MARCH 19, 1897. Rome. (89 *Br. & For. St. Pap.* 209.)

116. May 19 CONVENTION FOR THE PRESERVATION OF WILD ANIMALS IN AFRICA. Lon-  
don. (94 *Br. & For. St. Pap.* 715.)

117. Sept. 19 RULES OF ORDER OF THE ADMINISTRATIVE COUNCIL CREATED BY THE CON-  
VENTION FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES OF  
JULY 29, 1899. The Hague. (94 *Br. & For. St. Pap.* 722.)

118. Dec. 8 REGULATIONS OF THE INTERNATIONAL BUREAU OF THE PERMANENT COURT  
OF ARBITRATION. The Hague. (94 *Br. & For. St. Pap.* 724.)

119. Dec. 14 ADDITIONAL ACT MODIFYING THE CONVENTION OF MARCH 20, 1883, CON-  
CERNING THE PROTECTION OF INDUSTRIAL PROPERTY. Brussels. (4  
*A. J. I. L. Supp.* 154; 92 *Br. & For. St. Pap.* 807; 2 *U. S. Tr.*  
1945.)

120. Dec. 14 ADDITIONAL ACT TO THE AGREEMENT OF APRIL 14, 1891 CONCERNING THE  
REGISTRATION OF TRADE MARKS. Brussels. (96 *Br. & For. St. Pap.*  
848.)

121. 1901 FINAL PROTOCOL AND ANNEXES FOR THE RESUMPTION OF FRIENDLY RELA-  
Sept. 7 TIONS BETWEEN CHINA AND OTHER POWERS. Peking. (1 *A. J. I. L. Supp.* 388; 94 *Br. & For. St. Pap.* 686.)

122. 1902 INTER-AMERICAN CONVENTION RELATIVE TO THE PRACTICE OF THE  
Jan. 17 LEARNED PROFESSIONS. Mexico. (6 *N. R. G.*, *iii ser.*, 191.)

123. Jan. 27 INTER-AMERICAN COPYRIGHT CONVENTION. Mexico. (101 *Br. & For. St. Pap.* 661; 2 *U. S. Tr.* 2058.)

124. Jan. 27 INTER-AMERICAN CONVENTION RELATIVE TO THE EXCHANGE OF OFFICIAL, SCIENTIFIC, LITERARY AND INDUSTRIAL PUBLICATIONS. Mexico. (6 *N. R. G.*, *iii ser.*, 203.)

125. Jan. 27 INTER-AMERICAN CONVENTION CONCERNING PATENTS OF INVENTION, INDUSTRIAL DRAWINGS AND MODELS AND TRADE MARKS. Mexico. (6 *N. R. G.*, *iii ser.*, 206.)

126. Jan. 28 INTER-AMERICAN TREATY FOR THE EXTRADITION OF CRIMINALS AND FOR PROTECTION AGAINST ANARCHISM. Mexico. (6 *N. R. G.*, *iii ser.*, 185.)

127. Jan. 29 INTER-AMERICAN CONVENTION RELATIVE TO THE RIGHTS OF ALIENS. Mexico. (6 *N. R. G.*, *iii ser.*, 211.)

128. Jan. 29 INTER-AMERICAN TREATY OF ARBITRATION. Mexico. (1 *A. J. I. L. Supp.* 299; 95 *Br. & For. St. Pap.* 1009.)

129. Jan. 30 INTER-AMERICAN TREATY FOR THE ARBITRATION OF PECUNIARY CLAIMS. Mexico. (1 *A. J. I. L. Supp.* 303; 95 *Br. & For. St. Pap.* 969.)

130. Mar. 5 CONVENTION FOR THE REGULATION OF BOUNTIES ON SUGAR. Brussels. (95 *Br. & For. St. Pap.* 6.)

131. Mar. 19 CONVENTION FOR THE PROTECTION OF BIRDS USEFUL TO AGRICULTURE. Paris. (102 *Br. & For. St. Pap.* 969.)

132. June 12 CONVENTION FOR THE REGULATION OF CONFLICTS OF LAWS CONCERNING MARRIAGE. The Hague. (95 *Br. & For. St. Pap.* 411.)

133. June 12 CONVENTION FOR THE REGULATION OF CONFLICTS OF LAWS CONCERNING DIVORCE AND SEPARATION. The Hague. (95 *Br. & For. St. Pap.* 416.)

134. June 12 CONVENTION FOR THE REGULATION OF THE TUTELAGE OF MINORS. The Hague. (95 *Br. & For. St. Pap.* 421.)

135. Aug. 29 AGREEMENT CONCERNING THE CHINESE CUSTOMS TARIFF. Shanghai. (97 *Br. & For. St. Pap.* 695.)

136. Nov. 15 ADDITIONAL CONVENTION OF THE LATIN MONETARY UNION. Paris. (95 *Br. & For. St. Pap.* 765.)

137. 1903 July 10 REVISED REGULATIONS ANNEXED TO THE TELEGRAPH CONVENTION OF JULY 22, 1875. London. (97 *Br. & For. St. Pap.* 737.)

138. Aug. 13 FINAL PROTOCOL OF THE PRELIMINARY CONFERENCE ON WIRELESS TELEGRAPHY. Berlin. (97 *Br. & For. St. Pap.* 467.)

139. Dec. 3 SANITARY CONVENTION. Paris. (97 *Br. & For. St. Pap.* 1085; 2 *U. S. Tr.* 2066.)

140. 1904 Mar. 14 PROTOCOL CONCERNING THE MEASURES TO BE TAKEN AGAINST THE ANARCHIST MOVEMENT. St. Petersburg. (10 *N. R. G.*, *iii ser.*, 81.)

141. May 18 AGREEMENT CONCERNING THE WHITE SLAVE TRAFFIC. Paris. (2 *A. J. I. L. Supp.* 363; 1 *L. N. Tr. Ser.*, 83; 2 *U. S. Tr.* 2131.)

142. Dec. 21 CONVENTION FOR THE EXEMPTION OF HOSPITAL SHIPS FROM PORT CHARGES. The Hague. (1 *A. J. I. L. Supp.* 272; 98 *Br. & For. St. Pap.* 624.)

143. 1905 June 7 CONVENTION FOR THE CREATION OF THE INTERNATIONAL INSTITUTE OF AGRICULTURE. Rome. (2 *A. J. I. L. Supp.* 358; 100 *Br. & For. St. Pap.* 595.)

144. July 17 CONVENTION RELATING TO CIVIL PROCEDURE. The Hague. (99 *Br. & For. St. Pap.* 990.)

145. July 17 CONVENTION FOR THE REGULATION OF THE CONFLICTS OF LAWS CONCERNING INTERDICTION. The Hague. (6 *N. R. G.*, *iii ser.*, 490.)

146. July 17 CONVENTION FOR THE REGULATION OF THE CONFLICTS OF LAWS CONCERNING EFFECT OF MARRIAGE. The Hague. (6 *N. R. G.*, *iii ser.*, 480.)

147. Sept. 27 AGREEMENT CONCERNING THE WHANG PU CONSERVANCY. Peking. (98  
*Br. & For. St. Pap.* 1052; 2 *U. S. Tr.* 2013.)

148. Oct. 14 INTER-AMERICAN SANITARY CONVENTION. Washington. (3 *A. J. I. L.*  
*Supp.* 237; 101 *Br. & For. St. Pap.* 478.)

149. 1906 GENERAL ACT OF THE ALGECIRAS CONFERENCE CONCERNING MOROCCO.  
Apr. 7 Algeciras. (1 *A. J. I. L. Supp.* 47; 99 *Br. & For. St. Pap.* 141.)

150. May 26 UNIVERSAL POSTAL CONVENTION. Rome. (99 *Br. & For. St. Pap.* 254.)

151. May 26 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING MONEY  
ORDERS. Rome. (100 *Br. & For. St. Pap.* 959.)

152. May 26 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING POSTAL  
SUBSCRIPTIONS TO NEWSPAPERS. Rome. (100 *Br. & For. St. Pap.* 977.)

153. May 26 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING "SERVICE DES  
RECOUVREMENTS." Rome. (100 *Br. & For. St. Pap.* 987.)

154. May 26 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING PARCELS POST.  
Rome. (100 *Br. & For. St. Pap.* 999.)

155. May 26 AGREEMENT OF THE UNIVERSAL POSTAL UNION CONCERNING LETTERS OF  
DECLARED VALUE. Rome. (100 *Br. & For. St. Pap.* 1034.)

156. July 6 CONVENTION REVISING THE CONVENTION OF GENEVA OF AUG. 22, 1864,  
CONCERNING THE TREATMENT OF WOUNDED IN WAR. Geneva. (1  
*A. J. I. L. Supp.* 201; 99 *Br. & For. St. Pap.* 968.)

157. Aug. 13 INTER-AMERICAN CONVENTION EXTENDING THE TERM OF DURATION OF  
THE TREATY OF JAN. 30, 1902, CONCERNING THE ARBITRATION OF PE-  
CUNIARY CLAIMS. Rio de Janeiro. (103 *Br. & For. St. Pap.* 1013.)

158. Aug. 13 INTER-AMERICAN CONVENTION CONCERNING THE STATUS OF NATURALIZED  
CITIZENS ON RETURN TO THEIR COUNTRY OF ORIGIN. Rio de Janeiro.  
(7 *A. J. I. L. Supp.* 226; 103 *Br. & For. St. Pap.* 1010.)

159. Aug. 23 CONVENTION CREATING A COMMISSION ON INTERNATIONAL LAW. Rio de  
Janeiro. (6 *A. J. I. L. Supp.* 173; 102 *Br. & For. St. Pap.* 347.)

160. Aug. 23 INTER-AMERICAN CONVENTION CONCERNING PATENTS OF INVENTIONS,  
DRAWINGS AND INDUSTRIAL MODELS, AND LITERARY AND ARTISTIC  
PROPERTY. Rio de Janeiro. (6 *N. R. G.*, *iii ser.*, 221.)

161. Sept. 19 ADDITIONAL CONVENTION TO THE CONVENTION OF OCT. 14, 1890, CONCERN-  
ING THE TRANSPORT OF MERCHANDISE BY RAILWAY. Berne. (3  
*N. R. G.*, *iii ser.*, 920.)

162. Sept. 26 CONVENTION CONCERNING THE PROHIBITION OF NIGHT WORK OF WOMEN  
IN INDUSTRIAL EMPLOYMENT. Berne. (4 *A. J. I. L. Supp.* 328; 100  
*Br. & For. St. Pap.* 794.)

163. Sept. 26 CONVENTION PROHIBITING THE USE OF WHITE PHOSPHOROUS IN THE  
MANUFACTURE OF MATCHES. Berne. (99 *Br. & For. St. Pap.* 986.)

164. Nov. 3 RADIOTELEGRAPH CONVENTION. Berlin. (3 *A. J. I. L. Supp.* 330; 99  
*Br. & For. St. Pap.* 321.)

165. Nov. 3 CONVENTION CONCERNING THE LIQUOR TRAFFIC IN AFRICA. Brussels.  
(99 *Br. & For. St. Pap.* 490.)

166. Nov. 29 AGREEMENT CONCERNING THE UNIFICATION OF PHARMACOPOEIAL FORMU-  
LATIONS FOR PATENT DRUGS. Brussels. (99 *Br. & For. St. Pap.* 179; 2  
*U. S. Tr.* 2209.)

167. 1907 PROTOCOL CONCERNING TURKISH CUSTOMS DUTIES. Constantinople.  
Apr. 25 (100 *Br. & For. St. Pap.* 575.)

168. May 18 FINAL PROTOCOL CONCERNING THE TECHNICAL UNITY OF RAILWAYS.  
Berne. (2 *N. R. G.*, *iii ser.*, 888.)

169. May 18 FINAL PROTOCOL ON THE SEALING OF WAGONS HAVING TO PASS THROUGH  
CUSTOMS. Berne. (2 *N. R. G.*, *iii ser.*, 878.)

170. June 14 PROTOCOL CONCERNING THE ACCESSION OF NON-SIGNATORY POWERS TO THE CONVENTION OF JULY 29, 1899, FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES. The Hague. (100 *Br. & For. St. Pap.* 276.)

171. Aug. 28 ADDITIONAL ACT TO THE CONVENTION OF MARCH 5, 1902, CONCERNING THE REGULATION OF SUGAR BOUNTIES. Brussels. (100 *Br. & For. St. Pap.* 482.)

172. Oct. 18 CONVENTION CONCERNING THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES. The Hague. (2 *A. J. I. L. Supp.* 43; 100 *Br. & For. St. Pap.* 298; 2 *U. S. Tr.* 2220.)

173. Oct. 18 CONVENTION CONCERNING THE LIMITATION OF THE EMPLOYMENT OF FORCE FOR THE RECOVERY OF CONTRACT DEBTS. The Hague. (2 *A. J. I. L. Supp.* 81; 100 *Br. & For. St. Pap.* 314; 2 *U. S. Tr.* 2248.)

174. Oct. 18 CONVENTION RELATIVE TO THE OPENING OF HOSTILITIES. The Hague. (2 *A. J. I. L. Supp.* 85; 100 *Br. & For. St. Pap.* 326; 2 *U. S. Tr.* 2259.)

175. Oct. 18 CONVENTION AND REGULATIONS CONCERNING THE LAWS AND CUSTOMS OF WAR ON LAND. The Hague. (2 *A. J. I. L. Supp.* 90; 100 *Br. & For. St. Pap.* 338; 2 *U. S. Tr.* 2269.)

176. Oct. 18 CONVENTION RELATIVE TO THE RIGHTS AND DUTIES OF NEUTRALS IN WAR ON LAND. The Hague. (2 *A. J. I. L. Supp.* 117; 100 *Br. & For. St. Pap.* 359; 2 *U. S. Tr.* 2290.)

177. Oct. 18 CONVENTION RELATIVE TO THE STATUS OF ENEMY MERCHANT SHIPS ON THE OUTBREAK OF HOSTILITIES. The Hague. (2 *A. J. I. L. Supp.* 127; 100 *Br. & For. St. Pap.* 365.)

178. Oct. 18 CONVENTION RELATIVE TO THE CONVERSION OF MERCHANT SHIPS INTO WARSHIPS. The Hague. (2 *A. J. I. L. Supp.* 133; 100 *Br. & For. St. Pap.* 377.)

179. Oct. 18 CONVENTION RELATIVE TO THE LAYING OF AUTOMATIC SUBMARINE CONTACT MINES. The Hague. (2 *A. J. I. L. Supp.* 138; 100 *Br. & For. St. Pap.* 389; 2 *U. S. Tr.* 2304.)

180. Oct. 18 CONVENTION CONCERNING BOMBARDMENT BY NAVAL FORCES IN TIME OF WAR. The Hague. (2 *A. J. I. L. Supp.* 146; 100 *Br. & For. St. Pap.* 401; 2 *U. S. Tr.* 2314.)

181. Oct. 18 CONVENTION FOR THE ADAPTION OF THE PRINCIPLES OF THE GENEVA CONVENTION OF JULY 6, 1906 TO MARITIME WARFARE. The Hague. (2 *A. J. I. L. Supp.* 153; 100 *Br. & For. St. Pap.* 415; 2 *U. S. Tr.* 2326.)

182. Oct. 18 CONVENTION RELATIVE TO RESTRICTIONS ON THE EXERCISE OF THE RIGHT OF CAPTURE IN MARITIME WAR. The Hague. (2 *A. J. I. L. Supp.* 167; 100 *Br. & For. St. Pap.* 422; 2 *U. S. Tr.* 2341.)

183. Oct. 18 CONVENTION FOR THE ESTABLISHMENT OF AN INTERNATIONAL PRIZE COURT. The Hague. (2 *A. J. I. L. Supp.* 174; 100 *Br. & For. St. Pap.* 435.)

184. Oct. 18 CONVENTION CONCERNING THE RIGHTS AND DUTIES OF NEUTRAL POWERS IN MARITIME WAR. The Hague. (2 *A. J. I. L. Supp.* 202; 100 *Br. & For. St. Pap.* 448; 2 *U. S. Tr.* 2352.)

185. Oct. 18 DECLARATION CONCERNING THE PROHIBITION OF THE DISCHARGE OF PROJECTILES AND EXPLOSIVES FROM BALLOONS. The Hague. (2 *A. J. I. L. Supp.* 216; 100 *Br. & For. St. Pap.* 455; 2 *U. S. Tr.* 2366.)

186. Dec. 9 AGREEMENT FOR THE ESTABLISHMENT OF AN INTERNATIONAL OFFICE OF PUBLIC HEALTH. Rome. (3 *A. J. I. L. Supp.* 152; 100 *Br. & For. St. Pap.* 466.)

187. Dec. 20 GENERAL TREATY OF PEACE AND AMITY OF CENTRAL AMERICAN STATES. Washington. (2 *A. J. I. L. Supp.* 219; 2 *U. S. Tr.* 2392.)

188. Dec. 20 CONVENTION FOR THE ESTABLISHMENT OF A CENTRAL AMERICAN COURT OF JUSTICE. Washington. (2 *A. J. I. L. Supp.* 231; 2 *U. S. Tr.* 2399.)

189. Dec. 20 ADDITIONAL PROTOCOL FOR THE ESTABLISHMENT OF A CENTRAL AMERICAN COURT OF JUSTICE. Washington. (2 *A. J. I. L. Supp.* 243; 2 *U. S. Tr.* 2405.)

190. Dec. 20 EXTRADITION CONVENTION OF CENTRAL AMERICAN STATES. Washington. (2 *A. J. I. L. Supp.* 243; 2 *U. S. Tr.* 2406.)

191. Dec. 20 CONVENTION FOR THE ESTABLISHMENT OF AN INTERNATIONAL CENTRAL AMERICAN BUREAU. Washington. (2 *A. J. I. L. Supp.* 251; 2 *U. S. Tr.* 2411.)

192. Dec. 20 CONVENTION FOR THE ESTABLISHMENT OF A CENTRAL AMERICAN PEDAGOGICAL INSTITUTE. Washington. (2 *A. J. I. L. Supp.* 256; 2 *U. S. Tr.* 2414.)

193. Dec. 20 CONVENTION CONCERNING FUTURE CENTRAL AMERICAN CONFERENCES. Washington. (2 *A. J. I. L. Supp.* 259; 2 *U. S. Tr.* 2416.)

194. Dec. 20 CONVENTION ON COMMUNICATIONS. Washington. (2 *A. J. I. L. Supp.* 262; 2 *U. S. Tr.* 2418.)

195. 1908 DECLARATION FOR THE MAINTENANCE OF THE *Status Quo* IN TERRITORIES BORDERING ON THE NORTH SEA. Berlin. (2 *A. J. I. L. Supp.* 272; 101 *Br. & For. St. Pap.* 179.)

196. June 11 REVISED REGULATIONS ANNEXED TO THE TELEGRAPH CONVENTION OF JULY 22, 1875. Lisbon. (102 *Br. & For. St. Pap.* 214.)

197. July 22 PROTOCOL PROHIBITING IMPORT OF ARMS INTO AFRICA. Brussels. (101 *Br. & For. St. Pap.* 176.)

198. Nov. 4 ADDITIONAL MONETARY CONVENTION OF THE LATIN MONETARY UNION. Paris. (101 *Br. & For. St. Pap.* 968.)

199. Nov. 13 CONVENTION REVISING THE CONVENTION OF SEPT. 9, 1886, FOR PROTECTION OF LITERARY AND ARTISTIC WORKS. Berlin. (7 *A. J. I. L. Supp.* 111; 102 *Br. & For. St. Pap.* 619.)

200. 1909 CONVENTION CONCERNING THE INTERNATIONAL CIRCULATION OF MOTOR VEHICLES. Paris. (4 *A. J. I. L. Supp.* 316; 102 *Br. & For. St. Pap.* 64.)

201. 1910 REGULATIONS RELATIVE TO A COMMISSION ON FOREIGN CLAIMS. Tangier. (6 *A. J. I. L. Supp.* 49.)

202. May 4 CONVENTION FOR THE SUPPRESSION OF THE WHITE SLAVE TRAFFIC. Paris. (103 *Br. & For. St. Pap.* 244.)

203. May 4 AGREEMENT FOR THE SUPPRESSION OF OBSCENE PUBLICATIONS. Paris. (5 *A. J. I. L. Supp.* 167; 103 *Br. & For. St. Pap.* 251.)

204. June 15 DECLARATION MODIFYING THE DECLARATION ANNEXED TO THE GENERAL ACT OF BRUSSELS OF JULY 2, 1890. Brussels. (103 *Br. & For. St. Pap.* 255.)

205. Aug. 11 INTER-AMERICAN CONVENTION CONCERNING PROTECTION OF LITERARY AND ARTISTIC PROPERTY. Buenos Aires. (5 *A. J. I. L. Supp.* 11; 3 *U. S. Tr.* 2925.)

206. Aug. 11 INTER-AMERICAN CONVENTION CONCERNING THE ARBITRATION OF PECUNIARY CLAIMS. Buenos Aires. (5 *A. J. I. L. Supp.* 17; 106 *Br. & For. St. Pap.* 829.)

207. Aug. 20 INTER-AMERICAN CONVENTION CONCERNING INDUSTRIAL PROPERTY. Buenos Aires. (5 *A. J. I. L. Supp.* 23; 106 *Br. & For. St. Pap.* 834.)

208. Aug. 20 INTER-AMERICAN CONVENTION CONCERNING TRADE-MARKS. Buenos Aires. (11 *A. J. I. L. Supp.* 13; 108 *Br. & For. St. Pap.* 394; 3 *U. S. Tr.* 2935.)

209. Sept. 19 ADDITIONAL PROTOCOL TO THE CONVENTION OF OCT. 18, 1907, CONCERNING THE INTERNATIONAL PRIZE COURT. The Hague. (5 *A. J. I. L. Supp.* 95; 104 *Br. & For. St. Pap.* 258.)

210. Sept. 23 CONVENTION FOR THE UNIFICATION OF RULES RELATING TO COLLISIONS OF SHIPS. Brussels. (4 *A. J. I. L. Supp.* 121; 103 *Br. & For. St. Pap.* 434.)

211. Sept. 29 CONVENTION FOR THE UNIFICATION OF RULES RELATING TO ASSISTANCE AND SALVAGE AT SEA. Brussels. (4 *A. J. I. L. Supp.* 126; 103 *Br. & For. St. Pap.* 441.)

212. 1911 CONVENTION CONCERNING THE PROTECTION OF INDUSTRIAL PROPERTY. June 2 Washington. (6 *A. J. I. L. Supp.* 122; 104 *Br. & For. St. Pap.* 116; 3 *U. S. Tr.* 2953.)

213. June 2 AGREEMENT CONCERNING THE PREVENTION OF FALSE INDICATIONS OF ORIGIN OF GOODS. Washington. (104 *Br. & For. St. Pap.* 137.)

214. June 2 CONVENTION CONCERNING THE REGISTRATION OF TRADE MARKS. Washington. (108 *Br. & For. St. Pap.* 404.)

215. July 7 CONVENTION FOR THE PROTECTION AND PRESERVATION OF FUR-BEARING SEALS. Washington. (5 *A. J. I. L. Supp.* 267; 104 *Br. & For. St. Pap.* 175.)

216. 1912 SANITARY CONVENTION. Paris. (108 *Br. & For. St. Pap.* 230; 3 *U. S. Tr.* 2972.)

Jan. 17

217. Jan. 23 CONVENTION CONCERNING THE OPIUM TRAFFIC. The Hague. (6 *A. J. I. L. Supp.* 177; 8 *L. N. Tr. Ser.* 187.)

218. Mar. 17 PROTOCOL EXTENDING THE LIFE OF THE INTERNATIONAL SUGAR UNION. Brussels. (105 *Br. & For. St. Pap.* 392.)

219. July 5 RADIO-TELEGRAPH CONVENTION. London. (7 *A. J. I. L. Supp.* 229; 105 *Br. & For. St. Pap.* 219; 1 *L. N. Tr. Ser.* 135.)

220. Oct. 16 CONVENTION FOR THE UNIFICATION OF METHODS OF ANALYSIS OF HUMAN AND ANIMAL FOODS. Paris. (114 *Br. & For. St. Pap.* 580.)

221. Oct. 16 CONVENTION FOR THE ESTABLISHMENT OF A PERMANENT BUREAU OF ANALYTICAL CHEMISTRY. Paris. (114 *Br. & For. St. Pap.* 585.)

222. 1913 PROTOCOL OF SECOND INTERNATIONAL OPIUM CONFERENCE. The Hague. July 9 (107 *Br. & For. St. Pap.* 80.)

223. Nov. 19 ACT FOR THE CREATION OF A CONSULTING COMMISSION FOR THE INTERNATIONAL PROTECTION OF NATURE. Berne. (9 *N. R. G.*, *iii ser.*, 668.)

224. Dec. 31 CONVENTION AND PROTOCOL FOR THE UNIFICATION OF COMMERCIAL STATISTICS. Brussels. (116 *Br. & For. St. Pap.* 575.)

225. 1914 CONVENTION CONCERNING SAFETY OF LIFE AT SEA, WITH REGULATIONS, FINAL PROTOCOL AND RECOMMENDATIONS. London. (108 *Br. & For. St. Pap.* 283.)

Jan. 20

226. Mar. 20 ADDITIONAL PROTOCOL TO CONVENTION OF NOV. 13, 1908, CONCERNING PROTECTION OF LITERARY AND ARTISTIC PROPERTY. (107 *Br. & For. St. Pap.* 353.)

227. Apr. 21 SANITARY CONVENTION. Montevideo. (114 *Br. & For. St. Pap.* 569; 5 *L. N. Tr. Ser.* 394.)

228. June 25 FINAL PROTOCOL OF THE THIRD INTERNATIONAL OPIUM CONFERENCE. The Hague. (107 *Br. & For. St. Pap.* 341.)

## II. 1919-1927

1. 1919 PART I (Covenant of the League of Nations) and PART XIII (Labor) of the  
June 28 TREATY OF PEACE. Versailles. (13 A. J. I. L. Supp. 128, 361; 112  
*Br. & For. St. Pap.* 13, 316; 3 U. S. Tr. 3331.)
2. June 30 AGREEMENT CREATING THE HYDROGRAPHIC BUREAU. London. *Journal  
Officiel*, July 2, 1922, p. 6918.
3. Sept. 10 CONVENTION AND PROTOCOL CONCERNING CONTROL OF TRADE IN ARMS  
AND AMMUNITION. St. Germain-en-Laye. (15 A. J. I. L. Supp. 297;  
7 L. N. Tr. Ser. 332.)
4. Sept. 10 CONVENTION FOR THE REVISION OF THE BERLIN AND BRUSSELS ACTS OF  
FEB. 26, 1885. St. Germain-en-Laye. (15 A. J. I. L. Supp. 314; 8  
L. N. Tr. Ser. 12.)
5. Sept. 10 CONVENTION AND PROTOCOL CONCERNING LIQUOR TRAFFIC IN AFRICA.  
St. Germain-en-Laye. (15 A. J. I. L. Supp. 322; 8 L. N. Tr. Ser. 11.)
6. Oct. 13 CONVENTION CONCERNING THE REGULATION OF AERIAL NAVIGATION.  
Paris. (17 A. J. I. L. Supp. 195; 11 L. N. Tr. Ser. 174.)
7. Nov. 28 INTERNATIONAL LABOR CONVENTION CONCERNING THE ADMISSION OF  
CHILDREN TO INDUSTRIAL EMPLOYMENT. Washington. (1 I. L. O. B.  
430.)
8. Nov. 28 INTERNATIONAL LABOR CONVENTION CONCERNING THE NIGHT WORK OF  
YOUNG PERSONS EMPLOYED IN INDUSTRY. Washington. (1 I. L. O. B.  
433.)
9. Nov. 28 INTERNATIONAL LABOR CONVENTION CONCERNING UNEMPLOYMENT.  
Washington. (1 I. L. O. B. 417.)
10. Nov. 28 INTERNATIONAL LABOR CONVENTION CONCERNING THE INDUSTRIAL EM-  
PLOYMENT OF WOMEN DURING THE NIGHT. Washington. (1 I. L. O. B.  
424.)
11. Nov. 28 INTERNATIONAL LABOR CONVENTION CONCERNING THE REGULATION OF  
HOURS OF WORK IN INDUSTRIAL UNDERTAKINGS. Washington. (1  
I. L. O. B. 409.)
12. Nov. 29 INTERNATIONAL LABOR CONVENTION CONCERNING THE EMPLOYMENT OF  
WOMEN BEFORE AND AFTER CHILDBIRTH. Washington. (1 I. L. O. B.  
421.)
13. 1920 TREATY CONCERNING THE ARCHIPELAGO OF SPITZBERGEN. Paris. (18  
Feb. 9 A. J. I. L. Supp. 199; 2 L. N. Tr. Ser. 8.)
14. Mar. 25 CONVENTION SUPPLEMENTARY TO THAT OF NOV. 6, 1885, CONCERNING THE  
LATIN MONETARY UNION. Paris. (1 L. N. Tr. Ser. 46.)
15. May 1 ADDITIONAL PROTOCOL TO THE CONVENTION OF OCT. 13, 1919, CONCERNING  
THE REGULATION OF AERIAL NAVIGATION. Paris. (17 A. J. I. L. Supp.  
212; 11 L. N. Tr. Ser. 307.)
16. May 11 ADDITIONAL ARTICLE TO THE SCANDINAVIAN MONETARY CONVENTIONS OF  
MAY 27, 1873, AND OCT. 16, 1875. Copenhagen. (1 L. N. Tr. Ser. 16.)
17. June 21 CONVENTION ESTABLISHING THE INTERNATIONAL INSTITUTE OF REFRIGERA-  
TION. Paris. (8 L. N. Tr. Ser. 66.)
18. June 30 AGREEMENT CONCERNING THE RE-ESTABLISHMENT OF THE RIGHTS OF  
INDUSTRIAL PROPERTY AFFECTED BY THE WORLD WAR. Berne. (16  
A. J. I. L. Supp. 132; 1 L. N. Tr. Ser. 60.)
19. July 9 INTERNATIONAL LABOR CONVENTION CONCERNING THE MINIMUM AGE OF  
EMPLOYMENT OF CHILDREN AT SEA. Genoa. (1 I. L. O. B. 551.)
20. July 9 INTERNATIONAL LABOR CONVENTION CONCERNING UNEMPLOYMENT  
INDEMNITY BY LOSS OR FOUNDERING OF SHIP. Genoa. (1 I. L. O. B.  
554.)

21. July 10 INTERNATIONAL LABOR CONVENTION CONCERNING THE ESTABLISHMENT OF FACILITIES FOR FINDING EMPLOYMENT FOR SEAMEN. Genoa. (1 I. L. O. B. 556.)

22. Oct. 31 LOCUST CONVENTION. Rome. (*Journal Officiel*, Nov. 28, 1923, p. 11083.)

23. Nov. 30 UNIVERSAL POSTAL CONVENTION AND FINAL PROTOCOL. Madrid. (114 Br. & For. St. Pap. 430.)

24. Nov. 30 DETAILED REGULATIONS TO UNIVERSAL POSTAL CONVENTION, AND FINAL PROTOCOL. Madrid. (114 Br. & For. St. Pap. 457.)

25. Nov. 30 AGREEMENT AND PROTOCOL CONCERNING THE EXCHANGE OF INSURED LETTERS AND BOXES. Madrid. (114 Br. & For. St. Pap. 505.)

26. Nov. 30 DETAILED REGULATIONS FOR CARRYING OUT THE AGREEMENT CONCERNING THE EXCHANGE OF INSURED LETTERS AND BOXES. Madrid. (114 Br. & For. St. Pap. 520.)

27. Nov. 30 UNIVERSAL POSTAL AGREEMENT CONCERNING LETTERS OF DECLARED VALUE. Madrid. (2 Doc. Cong. Post. 965.)

28. Nov. 30 UNIVERSAL POSTAL AGREEMENT CONCERNING MONEY ORDERS. Madrid. (2 Doc. Cong. Post. 1063.)

29. Nov. 30 UNIVERSAL POSTAL AGREEMENT CONCERNING PARCEL POST. Madrid. (2 Doc. Cong. Post. 1003.)

30. Nov. 30 UNIVERSAL POSTAL AGREEMENT CONCERNING PAYMENT ON DELIVERY. Madrid. (2 Doc. Cong. Post. 1099.)

31. Nov. 30 UNIVERSAL POSTAL AGREEMENT CONCERNING POSTAL SUBSCRIPTION TO NEWSPAPERS. Madrid. (2 Doc. Cong. Post. 1125.)

32. Nov. 30 UNIVERSAL POSTAL AGREEMENT CONCERNING POSTAL CHEQUES. Madrid. (2 Doc. Cong. Post. 1143.)

33. Dec. 16 PROTOCOL OF SIGNATURE AND STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE. Geneva. (17 A. J. I. L. Supp. 55; 6 L. N. Tr. Ser. 379.)

34. 1921  
Apr. 20 CONVENTION AND STATUTE ON FREEDOM OF TRANSIT. Barcelona. (18 A. J. I. L. Supp. 118; 7 L. N. Tr. Ser. 12.)

35. Apr. 20 CONVENTION AND STATUTE ON THE RÉGIME OF NAVIGABLE WATERWAYS OF INTERNATIONAL CONCERN. Barcelona. (18 A. J. I. L. Supp. 151; 7 L. N. Tr. Ser. 36.)

36. Apr. 20 ADDITIONAL PROTOCOL TO CONVENTION ON THE RÉGIME OF NAVIGABLE WATERWAYS OF INTERNATIONAL CONCERN. Barcelona. (18 A. J. I. L. Supp. 151; 7 L. N. Tr. Ser. 65.)

37. Apr. 20 DECLARATION RECOGNIZING THE RIGHT TO A FLAG OF A STATE HAVING NO SEACOAST. Barcelona. (18 A. J. I. L. Supp. 167; 7 L. N. Tr. Ser. 73.)

38. July 23 CONVENTION INSTITUTING THE DEFINITIVE STATUTE OF THE DANUBE. Paris. (17 A. J. I. L. Supp. 13; 26 L. N. Tr. Ser. 173.)

39. Sept. 15 PRINCIPAL CONVENTION OF THE PAN-AMERICAN POSTAL UNION. Buenos Aires. (30 L. N. Tr. Ser. 142.)

40. Sept. 30 CONVENTION FOR THE SUPPRESSION OF TRAFFIC IN WOMEN AND CHILDREN. Geneva. (18 A. J. I. L. Supp. 130; 9 L. N. Tr. Ser. 415.)

41. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 4 OF THE COVENANT OF THE LEAGUE OF NATIONS.<sup>4</sup> Geneva. (17 A. J. I. L. Supp. 222.)

42. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 6 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (27 L. N. Tr. Ser. 350.)

<sup>4</sup> See Manley O. Hudson, Amendment of the Covenant of the League of Nations, 38 Harvard Law Review, 903.

43. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 6 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (*Records of Second Assembly*, Plenary Meetings, 136.)

44. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 6 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (*L. N. Doc. C. L.* 100. 1921. V. Annex 2.)

45. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 12 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (29 *L. N. Tr. Ser.* 68.)

46. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 13 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (17 *A. J. I. L. Supp.* 222; 29 *L. N. Tr. Ser.* 74.)

47. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 15 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (17 *A. J. I. L. Supp.* 222; 29 *L. N. Tr. Ser.* 80.)

48. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 16 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (17 *A. J. I. L. Supp.* 222.)

49. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 16 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (*Records of Second Assembly*, Plenary Meetings, 806.)

50. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 16 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (*Records of Second Assembly*, Plenary Meetings, 806.)

51. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 16 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (*Records of Second Assembly*, Plenary Meetings, 807.)

52. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 26 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (*Records of Second Assembly*, Plenary Meetings, 733.)

53. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 26 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (*Records of Second Assembly*, Plenary Meetings, 734.)

54. Oct. 5 PROTOCOL OF AN AMENDMENT TO ARTICLE 26 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (*Records of Second Assembly*, Plenary Meetings, 735.)

55. Oct. 6 CONVENTION MODIFYING THE CONVENTION OF MAY 20, 1875, CONCERNING THE CREATION OF AN INTERNATIONAL OFFICE OF WEIGHTS AND MEASURES. Sèvres. (17 *L. N. Tr. Ser.* 46.)

56. Oct. 20 CONVENTION CONCERNING THE NON-FORTIFICATION AND NEUTRALIZATION OF THE AALAND ISLANDS. Geneva. (17 *A. J. I. L. Supp.* 1; 9 *L. N. Tr. Ser.* 211.)

57. Nov. 11 INTERNATIONAL LABOR CONVENTION CONCERNING THE MINIMUM AGE FOR ADMISSION OF YOUNG PERSONS TO EMPLOYMENT AS TRIMMERS AND STOKERS. Geneva. (4 *I. L. O. B.* 507.)

58. Nov. 11 INTERNATIONAL LABOR CONVENTION CONCERNING COMPULSORY MEDICAL EXAMINATION OF CHILDREN OR YOUNG PERSONS EMPLOYED AT SEA. Geneva. (4 *I. L. O. B.* 510.)

59. Nov. 12 INTERNATIONAL LABOR CONVENTION CONCERNING RIGHTS OF ASSOCIATION AND COMBINATION OF AGRICULTURAL WORKERS. Geneva. (4 *I. L. O. B.* 495.)

60. Nov. 12 INTERNATIONAL LABOR CONVENTION CONCERNING WORKMEN'S COMPENSATION IN AGRICULTURE. Geneva. (4 *I. L. O. B.* 497.)

61. Nov. 16 INTERNATIONAL LABOR CONVENTION CONCERNING AGE FOR THE ADMISSION OF CHILDREN TO AGRICULTURAL EMPLOYMENT. Geneva. (4 *I. L. O. B.* 490.)

62. Nov. 17 INTERNATIONAL LABOR CONVENTION CONCERNING WEEKLY REST IN INDUSTRIAL UNDERTAKINGS. Geneva. (4 *I. L. O. B.* 503.)

63. Nov. 19 INTERNATIONAL LABOR CONVENTION CONCERNING USE OF WHITE LEAD IN PAINTS. Geneva. (4 *I. L. O. B.* 499.)

64. Dec. 16 POLICE REGULATIONS OF THE RHINE CONCERNING DRINKING-WATER ON RAFTS AND VESSELS. Strasbourg. (13 *L. N. Tr. Ser.* 53.)

65. Feb. 6 TREATY FOR THE LIMITATION OF NAVAL ARMAMENT. Washington. (16 *A. J. I. L. Supp.* 41; 25 *L. N. Tr. Ser.* 201.)

66. Feb. 6 TREATY CONCERNING THE "OPEN DOOR" POLICY IN CHINA. Washington. (16 *A. J. I. L. Supp.* 64; 38 *L. N. Tr. Ser.* 277.)

67. Feb. 6 TREATY CONCERNING THE CHINESE CUSTOMS TARIFF. Washington. (16 *A. J. I. L. Supp.* 69; 38 *L. N. Tr. Ser.* 267.)

68. Feb. 6 TREATY CONCERNING THE USE OF SUBMARINES AND POISON GAS. Washington. (13 *A. J. I. L. Supp.* 57.)

69. Feb. 22 CONVENTION INSTITUTING THE STATUTE OF NAVIGATION OF THE ELBE. Dresden. (17 *A. J. I. L. Supp.* 227; 26 *L. N. Tr. Ser.* 219.)

70. Mar. 24 RULES OF COURT OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE. The Hague. (118 *Br. & For. St. Pap.* 861.)

71. July 5 ARRANGEMENT WITH REGARD TO THE ISSUANCE OF IDENTITY CERTIFICATES FOR RUSSIAN REFUGEES. Geneva. (13 *L. N. Tr. Ser.* 237.)

72. Oct. 4 PROTOCOLS CONCERNING THE RESTORATION OF AUSTRIA. Geneva. (12 *L. N. Tr. Ser.* 385, 391, 405.)

73. Oct. 27 CONVENTION MODIFYING ARTICLE 5 OF THE AERIAL NAVIGATION CONVENTION OF OCT 13, 1919. London. (116 *Br. & For. St. Pap.* 624.)

74. Dec. 14 CONVENTION REGULATING RHINE NAVIGATION CERTIFICATES. Strasbourg. (36 *L. N. Tr. Ser.* 457.)

75. Dec. 14 REGULATIONS CONCERNING THE GRANTING OF RHINE NAVIGATION CERTIFICATES. Strasbourg. (37 *L. N. Tr. Ser.* 9.)

76. Jan. 27 CONVENTION SUPPLEMENTARY TO THE STATUTE OF NAVIGATION OF THE ELBE. Prague. (26 *L. N. Tr. Ser.* 253.)

77. Feb. 7 CONVENTION FOR THE ESTABLISHMENT OF STATIONS FOR AGRICULTURAL EXPERIMENTS AND ANIMAL INDUSTRIES. Washington. (17 *A. J. I. L. Supp.* 70.)

78. Feb. 7 CONVENTION RELATIVE TO THE PREPARATION OF PROJECTS OF ELECTORAL LEGISLATION. Washington. (17 *A. J. I. L. Supp.* 72.)

79. Feb. 7 CONVENTION FOR THE RECIPROCAL EXCHANGE OF CENTRAL AMERICAN STUDENTS. Washington. (17 *A. J. I. L. Supp.* 74.)

80. Feb. 7 EXTRADITION CONVENTION. Washington. (17 *A. J. I. L. Supp.* 76.)

81. Feb. 7 CONVENTION FOR THE ESTABLISHMENT OF FREE TRADE. Washington. (17 *A. J. I. L. Supp.* 81.)

82. Feb. 7 CONVENTION AND RULES OF PROCEDURE AND ADDITIONAL PROTOCOL FOR THE ESTABLISHMENT OF AN INTERNATIONAL CENTRAL AMERICAN TRIBUNAL. Washington. (17 *A. J. I. L. Supp.* 83, 107.)

83. Feb. 7 CONVENTION FOR THE ESTABLISHMENT OF INTERNATIONAL COMMISSIONS OF INQUIRY. Washington. (17 *A. J. I. L. Supp.* 108.)

84. Feb. 7 CONVENTION CONCERNING THE PRACTICE OF THE LIBERAL PROFESSIONS. Washington. (17 *A. J. I. L. Supp.* 112.)

85. Feb. 7 CONVENTION FOR THE LIMITATION OF ARMAMENTS. Washington. (17 *A. J. I. L. Supp.* 114.)

86. Feb. 7 CONVENTION FOR THE ESTABLISHMENT OF PERMANENT CENTRAL AMERICAN COMMISSIONS. Washington. (17 *A. J. I. L. Supp.* 122.)

87. Feb. 7 CONVENTION FOR THE UNIFICATION OF PROTECTIVE LAWS FOR WORKMEN AND LABORERS. Washington. (17 *A. J. I. L. Supp.* 128.)

88. Apr. 28 CONVENTION FOR THE PROTECTION OF COMMERCIAL, INDUSTRIAL AND AGRICULTURAL TRADE MARKS AND NAMES. Santiago. (21 *A. J. I. L. Supp.* 92; 33 *L. N. Tr. Ser.* 47.)

89. May 3 CONVENTION CONCERNING THE PUBLICITY OF CUSTOMS DOCUMENTS. Santiago. (21 *A. J. I. L. Supp.* 102; 33 *L. N. Tr. Ser.* 11.)

90. May 3 CONVENTION CONCERNING THE PREVENTION OF CONFLICTS. Santiago. (21 *A. J. I. L. Supp.* 107; 33 *L. N. Tr. Ser.* 25.)

91. May 3 CONVENTION CONCERNING THE UNIFORMITY OF NOMENCLATURE FOR THE CLASSIFICATION OF MERCHANDISE. Santiago. (21 *A. J. I. L. Supp.* 105; 33 *L. N. Tr. Ser.* 81.)

92. June 14 PROTOCOL RELATIVE TO AMENDMENT OF ARTICLE 393 OF TREATY OF VERSAILLES. Geneva. (6 *I. L. O. B.*, 603; *L. N. doc. C. L.* 66 (a). V.)

93. June 30 PROTOCOL OF AN AMENDMENT TO ARTICLE 34 OF THE CONVENTION FOR THE REGULATION OF AERIAL NAVIGATION. London. (117 *Br. & For. St. Pap.* 440.)

94. July 24 CONVENTION RELATING TO THE RÉGIME OF THE STRAITS. Lausanne. (18 *A. J. I. L. Supp.* 53; 28 *L. N. Tr. Ser.* 115.)

95. July 24 CONVENTION RESPECTING CONDITIONS OF RESIDENCE, BUSINESS AND JURISDICTION. Lausanne. (18 *A. J. I. L. Supp.* 67; 28 *L. N. Tr. Ser.* 151.)

96. July 24 COMMERCIAL CONVENTION. Lausanne. (18 *A. J. I. L. Supp.* 73.)

97. Sept. 12 CONVENTION CONCERNING THE SUPPRESSION OF THE CIRCULATION OF, AND TRAFFIC IN OBSCENE PUBLICATIONS. Geneva. (27 *L. N. Tr. Ser.* 213.)

98. Sept. 24 PROTOCOL ON ARBITRATION CLAUSES. Geneva. (20 *A. J. I. L. Supp.* 194; 27 *L. N. Tr. Ser.* 157.)

99. Sept. 29 PROTOCOL RELATING TO THE SETTLEMENT OF REFUGEES IN GREECE AND THE CREATION OF A REFUGEE SETTLEMENT COMMISSION. Geneva. (*L. N. doc.*, C. 556. M. 198, 1927, II; 1923 *L. N. O. J.*, 1506.)

100. Nov. 3 CONVENTION AND PROTOCOL CONCERNING THE SIMPLIFICATION OF CUSTOMS FORMALITIES. Geneva. (19 *A. J. I. L. Supp.* 146; 30 *L. N. Tr. Ser.* 371.)

101. Nov. 28 PROTOCOL CONCERNING ADHESION TO THE CONVENTION OF JUNE 12, 1902, CONCERNING MARRIAGE. The Hague. (51 *L. N. Tr. Ser.* 209.)

102. Nov. 28 PROTOCOL CONCERNING ADHESION TO THE CONVENTION OF JUNE 12, 1902, CONCERNING DIVORCE. The Hague. (51 *L. N. Tr. Ser.* 215.)

103. Nov. 28 PROTOCOL CONCERNING ADHESION TO THE CONVENTION OF JUNE 12, 1902, CONCERNING GUARDIANSHIP OF MINORS. The Hague. (51 *L. N. Tr. Ser.* 221.)

104. Nov. 28 PROTOCOL CONCERNING ADHESION TO THE CONVENTION OF JULY 17, 1905, CONCERNING THE EFFECTS OF MARRIAGE. The Hague. (51 *L. N. Tr. Ser.* 233.)

105. Dec. 9 CONVENTION, STATUTE, AND PROTOCOL CONCERNING THE INTERNATIONAL RÉGIME OF RAILWAYS. Geneva. (21 *A. J. I. L. Supp.* 152; 47 *L. N. Tr. Ser.* 55.)

106. Dec. 9 CONVENTION, STATUTE, AND PROTOCOL CONCERNING THE DEVELOPMENT OF HYDRAULIC POWER AFFECTING MORE THAN ONE STATE. Geneva. (20 *A. J. I. L. Supp.* 145; 36 *L. N. Tr. Ser.* 75.)

107. Dec. 9 CONVENTION AND PROTOCOL CONCERNING THE INTERNATIONAL RÉGIME OF MARITIME PORTS. Geneva. (22 A. J. I. L. Supp. 69; 58 L. N. Tr. Ser. 283.)

108. Dec. 9 CONVENTION AND PROTOCOL CONCERNING THE TRANSMISSION AND TRANSIT OF ELECTRIC POWER. Geneva. (22 A. J. I. L. Supp. 83; 58 L. N. Tr. Ser. 315.)

109. Dec. 18 INTERNATIONAL STATUTE OF TANGIER. (117 Br. & For. St. Pap. 499.)

110. Dec. 22 PROTOCOL ADDITIONAL TO THE CONVENTION OF DECEMBER 14, 1922, RELATIVE TO RHINE NAVIGATION CERTIFICATES. Strasbourg. (36 L. N. Tr. Ser. 464.)

111. 1924 AGREEMENT FOR THE CREATION OF AN INTERNATIONAL OFFICE FOR DEALING WITH CONTAGIOUS DISEASES OF ANIMALS. Paris. (21 A. J. I. L. Supp. 131; 57 L. N. Tr. Ser. 135.)

Jan. 25

112. Mar. 14 PROTOCOLS WITH REGARD TO THE FINANCIAL RECONSTRUCTION OF HUNGARY. Geneva. (25 L. N. Tr. Ser. 423, 427.)

113. May 8 CONVENTION CONCERNING THE TERRITORY OF MEMEL. Paris. (29 L. N. Tr. Ser. 85.)

114. May 31 ARRANGEMENT CONCERNING CERTIFICATES OF IDENTITY FOR ARMENIAN REFUGEES. Geneva. (1924, L. N. O. J. 969.)

115. July 4 PROTOCOL CONCERNING ADHESION TO THE CONVENTION OF JULY 17, 1905, CONCERNING CIVIL PROCEDURE. The Hague. (51 L. N. Tr. Ser. 227.)

116. Aug. 16 AGREEMENT AND FINAL PROTOCOL CONCERNING THE EXPERTS' PLAN FOR THE GERMAN BUDGET. London. (19 A. J. I. L. Supp. 33; 41 L. N. Tr. Ser. 429.)

117. Aug. 25 CONVENTION AND PROTOCOL CONCERNING THE LIMITATION OF RESPONSIBILITY OF SHIP OWNERS. Brussels. (15 R. D. M. C. 846.)

118. Aug. 25 CONVENTION CONCERNING RECOGNITION. Brussels. (15 R. D. M. C. 853.)

119. Aug. 28 CONVENTION AND PROTOCOL OF THE UNIVERSAL POSTAL UNION. Stockholm. (40 L. N. Tr. Ser. 19.)

120. Aug. 28 AGREEMENT CONCERNING INSURED LETTERS AND BOXES. Stockholm. (40 L. N. Tr. Ser. 249.)

121. Aug. 28 AGREEMENT CONCERNING PARCEL POST. Stockholm. (40 L. N. Tr. Ser. 307.)

122. Aug. 28 AGREEMENT CONCERNING MONEY ORDERS. Stockholm. (40 L. N. Tr. Ser. 437.)

123. Aug. 28 AGREEMENT CONCERNING POSTAL CHEQUES. Stockholm. (41 L. N. Tr. Ser. 9.)

124. Aug. 28 AGREEMENT CONCERNING PAYMENT ON DELIVERY. Stockholm. (41 L. N. Tr. Ser. 55.)

125. Aug. 28 AGREEMENT CONCERNING SUBSCRIPTIONS TO NEWSPAPERS AND PERIODICALS. Stockholm. (41 L. N. Tr. Ser. 97.)

126. Sept. 27 PROTOCOL OF AN AMENDMENT TO ARTICLE 16 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (L. N. doc. C. L. 160. 1924. V. Annex II; *Records of Fifth Assembly*, 22nd Plenary Meeting, 3.)

127. Nov. 14 PAN-AMERICAN SANITARY CODE. Havana. (20 A. J. I. L. Supp. 34.)

128. Dec. 1 CONVENTION CONCERNING FACILITIES TO SAILORS FOR THE TREATMENT OF VENEREAL DISEASES. Brussels. (14 R. D. M. C. 736.)

129. 1925 AGREEMENT CONCERNING THE SUPPRESSION OF THE MANUFACTURE OF INTERNAL TRADE IN, AND USE OF PREPARED OPIUM. Geneva. (51 L. N. Tr. Ser. 337.)

Feb. 11

130. Feb. 19 CONVENTION AND PROTOCOL CONCERNING THE TRAFFIC IN OPIUM AND DRUGS. Geneva. (1925 L. N. O. J. p. 689.)

131. June 6 INTERNATIONAL LABOR CONVENTION CONCERNING EQUALITY OF TREATMENT FOR NATIONAL AND FOREIGN WORKERS AS REGARDS WORKMEN'S COMPENSATION ACTS. Geneva. (10 *I. L. O. B.* 114.)

132. June 8 INTERNATIONAL LABOR CONVENTION CONCERNING NIGHT WORK IN BAKERIES. Geneva. (10 *I. L. O. B.* 119.)

133. June 10 INTERNATIONAL LABOR CONVENTION CONCERNING WORKMEN'S COMPENSATION FOR OCCUPATIONAL DISEASES. Geneva. (10 *I. L. O. B.* 110.)

134. June 10 INTERNATIONAL LABOR CONVENTION CONCERNING WORKMEN'S COMPENSATION FOR ACCIDENTS. Geneva. (10 *I. L. O. B.* 103.)

135. June 17 CONVENTION AND PROTOCOL CONCERNING THE INTERNATIONAL TRADE IN ARMS, AMMUNITION AND IMPLEMENTS OF WAR. Geneva. (1925 *L. N. O. J.* 118.)

136. June 17 DECLARATION REGARDING THE TERRITORY OF IPNI. (1925 *L. N. O. J.* 1153.)

137. June 17 PROTOCOL CONCERNING USE OF ASPHYXIATING AND POISONOUS GASES AND BACTERIOLOGICAL METHODS IN WAR. Geneva. (1925 *L. N. O. J.* 1158.)

138. Aug. 19 CONVENTION, PROTOCOL AND ADDITIONAL AGREEMENT FOR THE SUPPRESSION OF CONTRABAND TRAFFIC IN ALCOHOLIC LIQUORS. Helsingfors. (42 *L. N. Tr. Ser.* 73.)

139. Sept. 21 PROTOCOL OF AN AMENDMENT TO ARTICLE 16 OF THE COVENANT OF THE LEAGUE OF NATIONS. Geneva. (*Records of Sixth Assembly, Plenary Meeting*, 101.)

140. Oct. 29 REVISED REGULATIONS ANNEXED TO THE INTERNATIONAL TELEGRAPH CONVENTION OF JULY 10/22, 1895. Paris. (57 *L. N. Tr. Ser.* 201.)

141. Nov. 6 CONVENTION REVISING THE CONVENTION OF MARCH 20, 1883, CONCERNING THE PROTECTION OF INDUSTRIAL PROPERTY. The Hague. (41 *La Propriété Industrielle*, 221.)

142. Nov. 6 AGREEMENT REVISING THE AGREEMENT OF APRIL 14, 1891, CONCERNING FALSE INDICATIONS OF ORIGIN OF GOODS. The Hague. (41 *La Propriété Industrielle*, 227.)

143. Nov. 6 AGREEMENT REVISING THE AGREEMENT OF APRIL 14, 1891, CONCERNING THE REGISTRATION OF TRADE-MARKS. The Hague. (41 *La Propriété Industrielle*, 228.)

144. Nov. 6 AGREEMENT CONCERNING A BUREAU OF INDUSTRIAL MODELS. The Hague. (41 *La Propriété Industrielle*, 233.)

145. Nov. 27 CONVENTION CONCERNING THE MEASUREMENT OF VESSELS EMPLOYED IN INLAND NAVIGATION. Paris. (1926 *L. N. O. J.* 401.)

146. Dec. 1 TREATY OF MUTUAL GUARANTEE. Locarno. (20 *A. J. I. L. Supp.* 22; 54 *L. N. Tr. Ser.* 289.)

147. 1926 CONVENTION CONCERNING SEA-WORTHINESS AND EQUIPMENT OF SHIPS. Jan. 28 Copenhagen. (51 *L. N. Tr. Ser.* 9.)

148. Apr. 10 CONVENTION CONCERNING THE RULES OF MARITIME PRIORITIES AND MORTGAGES. Brussels. (15 *R. D. M. C.* 865.)

149. Apr. 10 CONVENTION CONCERNING THE IMMUNITY OF STATE-OWNED SHIPS. Brussels. (15 *R. D. M. C.* 862.)

150. Apr. 22 ADDITIONAL PROTOCOL TO CONVENTION OF AUG. 19, 1925, FOR THE SUPPRESSION OF CONTRABAND TRAFFIC IN LIQUORS. Moscow. (45 *L. N. Tr. Ser.* 183.)

151. May 12 ARRANGEMENT MODIFYING AND COMPLETING AGREEMENT CONCERNING THE CERTIFICATES OF IDENTITY FOR RUSSIAN AND ARMENIAN REFUGEES OF JULY 5, 1922, AND MAY 31, 1924. Geneva. (1926 *L. N. O. J.* 985.)

152. May 22 AGREEMENT ON AÉRIAL NAVIGATION FOR THE APPLICATION OF ARTICLE 198 OF THE TREATY OF VERSAILLES. Paris. (58 *L. N. Tr. Ser.* 331.)

153. June 5 INTERNATIONAL LABOR CONVENTION CONCERNING THE SIMPLIFICATION OF INSPECTION OF EMIGRANTS ON BOARD SHIP. Geneva. (11 *I. L. O. B.* 139.)

154. June 24 INTERNATIONAL LABOR CONVENTION CONCERNING THE REPATRIATION OF SEAMEN. Geneva. (11 *I. L. O. B.* 150.)

155. June 24 INTERNATIONAL LABOR CONVENTION CONCERNING SEAMEN'S ARTICLES OF AGREEMENT. Geneva. (11 *I. L. O. B.* 144.)

156. July 31 REVISED RULES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE. The Hague. (*Publications of the Court*, Ser. D, No. 1.)

157. Sept. 25 SLAVERY CONVENTION. Geneva. (21 *A. J. I. L. Supp.* 171; 60 *L. N. Tr. Ser.* 253.)

158. 1927  
May 19 AGREEMENT ON AÉRIAL NAVIGATION FOR THE APPLICATION OF ARTICLE 128 OF THE TREATY OF TRIANON. Paris. (*League of Nations, Registration of Treaties*, No. 1595.)

159. June 16 INTERNATIONAL LABOR CONVENTION CONCERNING SICKNESS INSURANCE FOR AGRICULTURAL WORKERS. Geneva. (12 *I. L. O. B.* 131.)

160. June 16 INTERNATIONAL LABOR CONVENTION CONCERNING SICKNESS INSURANCE FOR INDUSTRY, COMMERCE AND DOMESTIC SERVICE. Geneva. (12 *I. L. O. B.* 125.)

161. July 12 CONVENTION AND STATUTE ESTABLISHING THE INTERNATIONAL RELIEF UNION. Geneva. (1927 *L. N. O. J.* 997.)

162. Sept. 15 PROTOCOL AND DECLARATION RELATING TO GREEK STABILIZATION AND REFUGEE LOAN. Geneva. (*L. N. doc. C. 556. M. 198, 1927, II.*)

163. Sept. 26 CONVENTION AND PROTOCOL CONCERNING THE EXECUTION OF FOREIGN ARBITRAL AWARDS. Geneva. (1927 *L. N. O. J. Supp.* No. 53, p. 16.)

164. Nov. 8 CONVENTION, PROTOCOL, AND DECLARATION CONCERNING THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS. Geneva. (1927 *L. N. O. J.* 1653.)

165. Nov. 25 RADIOTELEGRAPH CONVENTION WITH GENERAL REGULATIONS AND SUPPLEMENTARY REGULATIONS. Washington. (*U. S. Gov. Printing Office*, 1927.)

166. Dec. 8 DECLARATION RELATING TO GREEK STABILIZATION AND REFUGEE LOAN. Geneva. (*L. N. doc. C. 556. M. 198, 1927, II.*)

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## OFFICIAL DOCUMENTS

### MULTILATERAL TREATY FOR RENUNCIATION OF WAR<sup>1</sup>

IDENTIC NOTES OF THE GOVERNMENT OF THE UNITED STATES TO THE GOVERNMENTS OF AUSTRALIA, BELGIUM, CANADA, CZECHOSLOVAKIA, FRANCE, GERMANY, GREAT BRITAIN, INDIA, THE IRISH FREE STATE, ITALY, JAPAN, NEW ZEALAND, POLAND, SOUTH AFRICA

*Delivered at the Respective Foreign Offices, June 23, 1928*

Excellency:

It will be recalled that, pursuant to the understanding reached between the Government of France and the Government of the United States, the American Ambassadors at London, Berlin, Rome and Tokyo transmitted on April 13, 1928, to the governments to which they were respectively accredited the text of M. Briand's original proposal of June 20, 1927, together with copies of the notes subsequently exchanged by France and the United States on the subject of a multilateral treaty for the renunciation of war. At the same time the Government of the United States also submitted for consideration a preliminary draft of a treaty representing in a general way the form of treaty which it was prepared to sign, and inquired whether the governments thus addressed were in a position to give favorable consideration thereto. The text of the identic notes of April 13, 1928, and a copy of the draft treaty transmitted therewith, were also brought to the attention of the Government of France by the American Ambassador at Paris.

It will likewise be recalled that on April 20, 1928, the Government of the French Republic circulated among the other interested governments, including the Government of the United States, an alternative draft treaty, and that in an address which he delivered on April 28, 1928, before the American Society of International Law, the Secretary of State of the United States explained fully the construction placed by my government upon the treaty proposed by it, referring as follows to the six major considerations emphasized by France in its alternative draft treaty and prior diplomatic correspondence with my government:

(1) *Self-defense.* There is nothing in the American draft of an anti-war treaty which restricts or impairs in any way the right of self-defense. That right is inherent in every sovereign state and is implicit in every treaty. Every nation is free at all times and regardless of treaty provisions to defend its territory from attack or invasion and it alone is competent to decide whether circumstances require recourse to war in

<sup>1</sup> Documents published by the Department of State in press notice dated June 23, 1928.

self-defense. If it has a good case, the world will applaud and not condemn its action. Express recognition by treaty of this inalienable right, however, gives rise to the same difficulty encountered in any effort to define aggression. It is the identical question approached from the other side. Inasmuch as no treaty provision can add to the natural right of self-defense, it is not in the interest of peace that a treaty should stipulate a juristic conception of self-defense since it is far too easy for the unscrupulous to mold events to accord with an agreed definition.

(2) *The League Covenant.* The Covenant imposes no affirmative primary obligation to go to war. The obligation, if any, is secondary and attaches only when deliberately accepted by a state. Article ten of the Covenant has, for example, been interpreted by a resolution submitted to the Fourth Assembly but not formally adopted owing to one adverse vote to mean that "it is for the constitutional authorities of each member to decide, in reference to the obligation of preserving the independence and the integrity of the territory of members, in what degree the member is bound to assure the execution of this obligation by employment of its military forces." There is, in my opinion, no necessary inconsistency between the Covenant and the idea of an unqualified renunciation of war. The Covenant can, it is true, be construed as authorizing war in certain circumstances but it is an authorization and not a positive requirement.

(3) *The Treaties of Locarno.* If the parties to the Treaties of Locarno are under any positive obligation to go to war, such obligation certainly would not attach until one of the parties has resorted to war in violation of its solemn pledges thereunder. It is therefore obvious that if all the parties to the Locarno Treaties become parties to the multilateral anti-war treaty proposed by the United States, there would be a double assurance that the Locarno Treaties would not be violated by recourse to arms. In such event it would follow that resort to war by any state in violation of the Locarno Treaties would also be a breach of the multilateral anti-war treaty and the other parties to the anti-war treaty would thus as a matter of law be automatically released from their obligations thereunder and free to fulfill their Locarno commitments. The United States is entirely willing that all parties to the Locarno Treaties should become parties to its proposed anti-war treaty either through signature in the first instance or by immediate accession to the treaty as soon as it comes into force in the manner provided in Article III of the American draft, and it will offer no objection when and if such a suggestion is made.

(4) *Treaties of neutrality.* The United States is not informed as to the precise treaties which France has in mind and cannot therefore discuss their provisions. It is not unreasonable to suppose, however, that the relations between France and the states whose neutrality she has guaranteed are sufficiently close and intimate to make it possible for France to persuade such states to adhere seasonably to the anti-war treaty proposed by the United States. If this were done no party to the anti-war treaty could attack the neutralized states without violating the treaty and thereby automatically freeing France and the other Powers in respect of the treaty-breaking state from the obligations of the anti-war treaty. If the neutralized states were attacked by a state not a party to the anti-war treaty, the latter treaty would of course have

no bearing and France would be as free to act under the treaties guaranteeing neutrality as if she were not a party to the anti-war treaty. It is difficult to perceive, therefore, how treaties guaranteeing neutrality can be regarded as necessarily preventing the conclusion by France or any other Power of a multilateral treaty for the renunciation of war.

(5) *Relations with a treaty-breaking state.* As I have already pointed out there can be no question as a matter of law that violation of a multilateral anti-war treaty through resort to war by one party thereto would automatically release the other parties from their obligations to the treaty-breaking state. Any express recognition of this principle of law is wholly unnecessary.

(6) *Universality.* From the beginning it has been the hope of the United States that its proposed multilateral anti-war treaty should be world-wide in its application, and appropriate provision therefor was made in the draft submitted to the other governments on April 13. From a practical standpoint it is clearly preferable, however, not to postpone the coming into force of an anti-war treaty until all the nations of the world can agree upon the text of such a treaty and cause it to be ratified. For one reason or another a state so situated as to be no menace to the peace of the world might obstruct agreement or delay ratification in such manner as to render abortive the efforts of all the other Powers. It is highly improbable, moreover, that a form of treaty acceptable to the British, French, German, Italian and Japanese Governments as well as to the United States would not be equally acceptable to most, if not all, of the other Powers of the world. Even were this not the case, however, the coming into force among the above-named six Powers of an effective anti-war treaty and their observance thereof would be a practical guaranty against a second world war. This in itself would be a tremendous service to humanity and the United States is not willing to jeopardize the practical success of the proposal which it has made by conditioning the coming into force of the treaty upon prior universal or almost universal acceptance.

The British, German, Italian and Japanese Governments have now replied to my government's notes of April 13, 1928, and the governments of the British Dominions and of India have likewise replied to the invitations addressed to them on May 22, 1928, by my government pursuant to the suggestion conveyed in the note of May 19, 1928, from His Majesty's Government in Great Britain. None of these governments has expressed any dissent from the above-quoted construction, and none has voiced the least disapproval of the principle underlying the proposal of the United States for the promotion of world peace. Neither has any of the replies received by the Government of the United States suggested any specific modification of the text of the draft treaty proposed by it on April 13, 1928, and my government, for its part, remains convinced that no modification of the text of its proposal for a multilateral treaty for the renunciation of war is necessary to safeguard the legitimate interests of any nation. It believes that the right of self-defense is inherent in every sovereign state and implicit in every treaty. No specific reference to that inalienable attribute of sovereignty is therefore necessary or desirable. It is no less evident that resort to war in violation

of the proposed treaty by one of the parties thereto would release the other parties from their obligations under the treaty towards the belligerent state. This principle is well recognized. So far as the Locarno Treaties are concerned, my government has felt from the very first that participation in the anti-war treaty by the Powers which signed the Locarno agreements, either through signature in the first instance or thereafter, would meet every practical requirement of the situation, since in such event no state could resort to war in violation of the Locarno Treaties without simultaneously violating the anti-war treaty, thus leaving the other parties thereto free, so far as the treaty-breaking state is concerned. As Your Excellency knows, the Government of the United States has welcomed the idea that all parties to the Treaties of Locarno should be among the original signatories of the proposed treaty for the renunciation of war and provision therefor has been made in the draft treaty which I have the honor to transmit herewith. The same procedure would cover the treaties guaranteeing neutrality to which the Government of France has referred. Adherence to the proposed treaty by all parties to these other treaties would completely safeguard their rights since subsequent resort to war by any of them or by any party to the anti-war treaty would violate the latter treaty as well as the neutrality treaty, and thus leave the other parties to the anti-war treaty free, so far as the treaty-breaking state is concerned. My government would be entirely willing, however, to agree that the parties to such neutrality treaties should be original signatories of the multilateral anti-war treaty, and it has no reason to believe that such an arrangement would meet with any objection on the part of the other governments now concerned in the present negotiations.

While my government is satisfied that the draft treaty proposed by it on April 13, 1928, could be properly accepted by the Powers of the world without change except for including among the original signatories the British Dominions, India, all parties to the Treaties of Locarno and, it may be, all parties to the neutrality treaties mentioned by the Government of France, it has no desire to delay or complicate the present negotiations by rigidly adhering to the precise phraseology of that draft particularly since it appears that by modifying the draft in form though not in substance, the points raised by other governments can be satisfactorily met and general agreement upon the text of the treaty to be signed be promptly reached. The Government of the United States has therefore decided to submit to the fourteen other governments now concerned in these negotiations a revised draft of a multilateral treaty for the renunciation of war. The text of this revised draft is identical with that of the draft proposed by the United States on April 13, 1928, except that the preamble now provides that the British Dominions, India and all parties to the Treaties of Locarno are to be included among the Powers called upon to sign the treaty in the first instance, and except that the first three paragraphs of the preamble have been changed to read as follows:

Deeply sensible of their solemn duty to promote the welfare of mankind;

Persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this treaty;

The revised preamble thus gives express recognition to the principle that if a state resorts to war in violation of the treaty, the other contracting parties are released from their obligations under the treaty to that state; it also provides for participation in the treaty by all parties to the Treaties of Locarno, thus making it certain that resort to war in violation of the Locarno Treaties would also violate the present treaty and release not only the other signatories of the Locarno Treaties but also the other signatories to the anti-war treaty from their obligations to the treaty-breaking state. Moreover, as stated above, my government would be willing to have included among the original signatories the parties to the neutrality treaties referred to by the Government of the French Republic, although it believes that the interests of those states would be adequately safeguarded if, instead of signing in the first instance, they should choose to adhere to the treaty.

In these circumstances I have the honor to transmit herewith for the consideration of Your Excellency's Government a draft of a multilateral treaty for the renunciation of war containing the changes outlined above. I have been instructed to state in this connection that the Government of the United States is ready to sign at once a treaty in the form herein proposed, and to express the fervent hope that the Government of ..... will be able promptly to indicate its readiness to accept, without qualification or reservation, the form of treaty now suggested by the United States. If the Governments of Australia, Belgium, Canada, Czechoslovakia, France, Germany, Great Britain, India, the Irish Free State, Italy, Japan, New Zealand, Poland, South Africa and the United States can now agree to conclude this anti-war treaty among themselves, my government is confident that the other nations of the world will, as soon as the treaty comes into force, gladly adhere thereto, and that this simple procedure will bring mankind's age-long aspirations for universal peace nearer to practical fulfillment than ever before in the history of the world.

I have the honor to state in conclusion that the Government of the United States would be pleased to be informed at as early a date as may be convenient whether Your Excellency's Government is willing to join with the United States and other similarly disposed governments in signing a definitive treaty for the renunciation of war in the form transmitted herewith.

Accept, Excellency, etc.

## TEXT OF DRAFT TREATY TRANSMITTED WITH ABOVE NOTE

The President of the United States of America,  
The President of the French Republic,  
His Majesty the King of the Belgians,  
The President of the Czechoslovak Republic,  
His Majesty the King of Great Britain, Ireland and the British Dominions  
beyond the Seas, Emperor of India,

The President of the German Reich,  
His Majesty the King of Italy,  
His Majesty the Emperor of Japan,  
The President of the Republic of Poland,  
Deeply sensible of their solemn duty to promote the welfare of mankind;  
Persuaded that the time has come when a frank renunciation of war as an  
instrument of national policy should be made to the end that the peaceful  
and friendly relations now existing between their peoples may be perpet-  
uated;

Convinced that all changes in their relations with one another should be  
sought only by pacific means and be the result of a peaceful and orderly  
process, and that any signatory Power which shall hereafter seek to promote  
its national interests by resort to war should be denied the benefits furnished  
by this treaty;

Hopeful that, encouraged by their example, all the other nations of the  
world will join in this humane endeavor and by adhering to the present  
treaty as soon as it comes into force bring their peoples within the scope of its  
beneficent provisions, thus uniting the civilized nations of the world in a  
common renunciation of war as an instrument of their national policy;

Have decided to conclude a treaty and for that purpose have appointed as  
their respective plenipotentiaries:

The President of the United States of America .....
The President of the French Republic.....
His Majesty the King of the Belgians.....
The President of the Czechoslovak Republic.....
His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India.....
For Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations.....
For the Dominion of Canada.....
For the Commonwealth of Australia.....
For the Dominion of New Zealand .....
For the Union of South Africa .....
For the Irish Free State .....
For India .....
The President of the German Reich .....

His Majesty the King of Italy .....  
His Majesty the Emperor of Japan .....  
The President of the Republic of Poland .....  
who, having communicated to one another their full powers found in good  
and due form have agreed upon the following articles:

#### ARTICLE I

The high contracting parties solemnly declare in the names of their  
respective peoples that they condemn recourse to war for the solution of  
international controversies, and renounce it as an instrument of national  
policy in their relations with one another.

#### ARTICLE II

The high contracting parties agree that the settlement or solution of all  
disputes or conflicts of whatever nature or of whatever origin they may be,  
which may arise among them, shall never be sought except by pacific means.

#### ARTICLE III

The present treaty shall be ratified by the high contracting parties named  
in the preamble in accordance with their respective constitutional require-  
ments, and shall take effect as between them as soon as all their several  
instruments of ratification shall have been deposited at .....

This treaty shall, when it has come into effect as prescribed in the pre-  
ceding paragraph, remain open as long as may be necessary for adherence  
by all the other Powers of the world. Every instrument evidencing the  
adherence of a Power shall be deposited at ..... and the treaty shall  
immediately upon such deposit become effective as between the Power thus  
adhering and the other Powers parties hereto.

It shall be the duty of the Government of ..... to furnish each  
government named in the preamble and every government subsequently  
adhering to this treaty with a certified copy of the treaty and of every instru-  
ment of ratification or adherence. It shall also be the duty of the Govern-  
ment of ..... telegraphically to notify such governments immedi-  
ately upon the deposit with it of each instrument of ratification or adherence.

In faith whereof the respective plenipotentiaries have signed this treaty  
in the French and English languages, both texts having equal force, and  
hereunto affix their seals.

Done at ..... the ..... day of ..... in the year of our  
Lord one thousand nine hundred and twenty .....

TREATY BETWEEN THE NETHERLANDS AND THE  
UNITED STATES FOR THE ADVANCEMENT OF PEACE<sup>1</sup>  
AND DECLARATION INTERPRETATIVE OF ARTICLE I

*Signed at Washington, December 18, 1913, and February 13, 1928; ratifications exchanged March 10, 1928*

The President of the United States of America and Her Majesty the Queen of the Netherlands, being desirous to strengthen the bonds of amity that bind them together and also to advance the cause of general peace, have resolved to enter into a treaty for that purpose, and to that end have appointed as their plenipotentiaries:

The President of the United States, the Honorable William Jennings Bryan, Secretary of State; and

Her Majesty the Queen of the Netherlands, Chevalier W. L. F. C. van Rappard, Envoy Extraordinary and Minister Plenipotentiary of the Netherlands to the United States;

Who, after having communicated to each other their respective full powers, found to be in proper form, having agreed upon and concluded the following articles:

ARTICLE I

The high contracting parties agree that all disputes between them, of every nature whatsoever, to the settlement of which previous arbitration treaties or agreements do not apply in their terms or are not applied in fact, shall, when diplomatic methods of adjustment have failed, be referred for investigation and report to a permanent international commission, to be constituted in the manner prescribed in the next succeeding article; and they agree not to declare war or begin hostilities during such investigation and before the report is submitted.

ARTICLE II

The international commission shall be composed of five members, to be appointed as follows: One member shall be chosen from each country, by the government thereof; one member shall be chosen by each government from some third country; the fifth member shall be chosen by common agreement between the two governments, it being understood that he shall not be a citizen of either country. The expenses of the commission shall be paid by the two governments in equal proportion.

The international commission shall be appointed within six months after the exchange of the ratifications of this treaty; and vacancies shall be filled according to the manner of the original appointment.

<sup>1</sup> U. S. Treaty Series, No. 760.

### ARTICLE III

In case the high contracting parties shall have failed to adjust a dispute by diplomatic methods, they shall at once refer it to the international commission for investigation and report. The international commission may, however, spontaneously offer its services to that effect, and in such case it shall notify both governments and request their coöperation in the investigation.

The high contracting parties agree to furnish the permanent international commission with all the means and facilities required for its investigation and report.

The report of the international commission shall be completed within one year after the date on which it shall declare its investigation to have begun, unless the high contracting parties shall limit or extend the time by mutual agreement. The report shall be prepared in triplicate; one copy shall be presented to each government and the third retained by the commission for its files.

The high contracting parties reserve the right to act independently on the subject matter of the dispute after the report of the commission shall have been submitted.

### ARTICLE IV

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by Her Majesty the Queen of the Netherlands; and the ratifications shall be exchanged as soon as possible. It shall take effect immediately after the exchange of ratifications, and shall continue in force for a period of five years; and it shall thereafter remain in force until twelve months after one of the high contracting parties have given notice to the other of an intention to terminate it.

In witness whereof the respective plenipotentiaries have signed the present treaty and have affixed thereunto their seals.

Done in Washington on the eighteenth day of December, in the year of our Lord nineteen hundred and thirteen.

WILLIAM JENNINGS BRYAN [SEAL]  
W. L. F. C. v. RAPPARD [SEAL]

### DECLARATION INTERPRETATIVE OF ARTICLE I

The Government of the United States and the Government of the Netherlands, desiring to remove any doubt or uncertainty that may exist or that may hereafter arise as to the interpretation to be placed on Article I of the treaty signed between the two governments on December 18, 1913, with respect to disputes that may exist between them at the time of the taking effect of the said treaty, have authorized the undersigned to declare that the said Article I is meant and intended to apply, subject to the terms of that

article, to all disputes between the two governments existing at the time of the taking effect of the treaty as well as to those arising thereafter.

IN WITNESS WHEREOF the undersigned have hereto signed their names and have affixed their respective seals at the City of Washington, this thirteenth day of February in the year one thousand nine hundred and twenty-eight.

FRANK B. KELLOGG [SEAL]  
J. H. VAN ROYEN [SEAL]

SUPERVISION OF ELECTIONS IN NICARAGUA BY THE  
UNITED STATES<sup>1</sup>

LETTER FROM THE PRESIDENT OF NICARAGUA TO THE PRESIDENT OF THE  
UNITED STATES

CORRESPONDENCIA PARTICULAR DEL PRESIDENTE DE LA REPUBLICA  
MANAGUA, May 15, 1927.

Excellency:

In order that the elections which under the constitution of Nicaragua are to be held in October, 1928, for the purpose of electing a President of the Republic and members of its National Congress shall be free, fair, and impartial and not open to fraud or intimidation practiced by any of the parties contending at such election upon each other, the Government of Nicaragua requests the President of the United States to lend to it its assistance and good offices in insuring such an election. To this end, the Government of Nicaragua requests the friendly assistance of the President of the United States in preparing a proper election law in Nicaragua, in securing supervision by impartial Americans over the actual conduct of the elections, in securing American assistance to train and direct an impartial and non-partisan force of constabulary to secure law and order and prevent intimidation of voters and to in other ways secure American assistance in tranquillizing the sorely disturbed condition of the country so that such election can be fairly held.

I have the honor to submit a memorandum showing the steps which my Government suggests may be desirable or appropriate to be taken in order that the President of the United States may be able adequately to perform this great service to the Republic of Nicaragua, should he be willing to do so. The Government of Nicaragua will gladly consider the taking of any other steps on its part which may be suggested by the President of the United States as essential or desirable for the accomplishment of that purpose.

Believe me, etc.

(Signed) ADOLFO DIAZ,  
President.

<sup>1</sup> Documents published by the Department of State in press notices dated March 22 and 26, 1928.

MEMORANDUM AS TO SUGGESTED STEPS TO BE TAKEN LOOKING TOWARDS THE  
HOLDING OF A FREE, FAIR, AND IMPARTIAL ELECTION IN NICARAGUA IN  
OCTOBER, 1928, WITH THE ASSISTANCE OF THE PRESIDENT OF THE  
UNITED STATES AND UNDER THE SUPERVISION OF AMERICAN  
OFFICIALS SUGGESTED BY HIM

## I

*Enactment of an Adequate Election Law*

(1) The President of the United States may select an expert in matters of election law to advise him as well as the Nicaraguan Congress as to a proper electoral law to be enacted by said Congress in order to provide the means and method by which the assistance of impartial American advice and supervision can be rendered for holding Nicaraguan elections. The salary and expenses of this expert shall be borne by the Nicaraguan Government.

(2) While reserving to the President of the United States, through this expert or otherwise, to suggest modifications and changes in the electoral plan to be prescribed by this law, the following outline of the electoral system is suggested as appropriate:

(a) Under the electoral law there shall be created a National Electoral Commission which shall have full and general power to supervise the election and to prescribe regulations having the force of law for the registration of voters, the casting of their ballots, and all other matters pertaining to the election that are not covered by the electoral law. Among other powers, the National Electoral Commission shall have the exclusive right to canvass the number of votes cast at the election and to determine all questions and contests as to the regularity and legality of such votes, and their determination as to the number and legality of the votes cast shall be final and shall be reported directly to Congress for its certification and declaration of the result of the election.

(b) This Commission shall consist of three members to be suggested by the President of the United States, one such member being a Conservative, one a Liberal, recommended by the respective party organizations to which they belong, and the third, the Chairman, being an American. A majority of the Commission shall be (sufficient) to constitute a quorum and to take action on any matter, but no such action or resolution of the Commission shall be valid or effective unless concurred in by the American Chairman.

(c) There shall be in each Department a Departmental Election Commission composed of three members, one Conservative, one Liberal, and the Chairman, the latter being an American. These members shall be appointed by the National Electoral Commission, the Liberal and Conservative members being appointed after consultation with the local organizations of the respective parties.

(d) In each polling place, there shall be a Local Election Board composed of three members, one Conservative, one Liberal and the Chairman, the latter being an American. These members shall be appointed by the National Electoral Commission, the Liberal and Conservative

members being appointed after consultation with the local organizations of the respective parties.

(e) In the Departmental Commissions and local Boards, a majority of the members shall be sufficient to constitute a quorum and to take action by resolution or otherwise, but no such action or resolution shall be valid or effective unless concurred in by the American Chairman.

## II

### *Preservation of Law and Order for the Purpose of the Conduct of the Election*

(1) The National Army shall be disbanded and mustered out of service contemporaneously with the disbandment of the opposing forces and the function of preserving law and order throughout the country shall be assumed by a National Constabulary to be organized under the instruction and, so far as possible, the direction and command of American officers now in active service and detailed to this duty by the President of the United States.

(2) The National Electoral Commission, through its Chairman, shall have the right to command the services of the National Constabulary and to issue orders thereto for the purpose of preventing intimidation and fraud in the election and of preserving law and order during the various acts of registration and voting. It shall also have the right by regulation to prescribe the method under which the Departmental Election Commissions and the Local Election Boards shall each have the right to command the services of members of the National Constabulary located within their jurisdiction for the similar purpose of preventing intimidation and fraud and preserving law and order for the election.

(3) In view of the disturbed condition of the country after the recent civil war and of the fact that a very considerable time will be required for the organization, instruction, and discipline of the National Constabulary, the Government of Nicaragua requests that the President of the United States will permit a sufficient force of American marines to remain in the country pending the organization and instruction of the Constabulary and during the election to reinforce the work of the Constabulary in securing an absolutely impartial election between both parties.

(Signed) A. D.

### **LETTER FROM THE PRESIDENT OF THE UNITED STATES TO THE PRESIDENT OF NICARAGUA**

THE WHITE HOUSE, WASHINGTON, June 10, 1927.

Excellency:

I have received Your Excellency's letter dated May 15, 1927, requesting the friendly assistance of the President of the United States in preparing a proper election law in Nicaragua, in securing supervision by impartial Ameri-

cans of the actual conduct of the elections, in securing American assistance to train and direct an impartial and non-partisan force of constabulary to secure law and order and prevent intimidation of voters, and in other ways to secure American assistance in tranquillizing the sorely disturbed condition of the country so that elections can be fairly held. Your Excellency submitted with this letter a memorandum showing the steps which your Government suggests may be desirable or appropriate to be taken in order that the President of the United States may be able adequately to perform this great service to the Republic of Nicaragua. Your Excellency adds that the Government of Nicaragua will gladly consider the taking of any other steps on its part which may be suggested by the President of the United States as essential or desirable for the accomplishment of that purpose.

In reply I am pleased to inform Your Excellency that I shall welcome this opportunity to assist the Government of Nicaragua to hold free and fair elections at the time appointed by the Constitution. I have been much gratified at the recent settlement of the difficulties in Nicaragua brought about through the good offices of my personal representative, Colonel Stimson, and the wisdom and patriotism shown by the Nicaraguan Government and the Nicaraguan people of all factions. It is my earnest desire that the peace which has now been arranged may be a permanent one, and to this end it is my desire to be of all possible assistance in the future. I am instructing the American Minister at Managua to discuss with Your Excellency the manner in which the aid and assistance of the United States can be best extended both for supervising the elections in Nicaragua and for maintaining order in the country until that time. Mr. Eberhardt has my entire confidence and will, I know, welcome this opportunity to be of service to the Nicaraguan people.

Accept, etc.

(Signed) CALVIN COOLIDGE.

DECREE SIGNED BY THE PRESIDENT OF NICARAGUA

March 21, 1928

DECREE

The President of the Republic, in view of the fact that the Supreme Court of Justice, by resolution adopted on the 17th of the present month, designated General Frank Ross McCoy to be President of the National Board of Elections in place of Dr. Joaquin Gomez, who had submitted his resignation; and that there devolves upon the high official named, by virtue of the office for which he has thus been named, and by virtue of his nomination thereto by the President of the United States, the duty of directing the procedure for holding the elections of 1928 for the supreme authorities in accordance with the agreement made for the purpose of ending the civil war that was devastating Nicaragua;

Whereas, the electoral law of March 20, 1923, is incapable of effective application under existing conditions due to the fact that the registration of citizens could not be effected at the prescribed time and that it is also impossible immediately to effect such registration;

Whereas, the people of Nicaragua cherish high hopes, predicated upon the free exercise of electoral rights as the starting point for a stable peace and a prosperous future—hopes having their origin in the letter and memorandum addressed by the President of Nicaragua to President Coolidge, wherein was set forth the procedure in accordance with which the Government of the United States might lend its coöperation for the satisfactory conduct of free and fair elections;

Whereas, the Government of Nicaragua contracted a solemn obligation with the people of Nicaragua and with the President of the United States, who, in a friendly capacity acted as mediator between the two parties, and the fulfillment of that obligation must not be evaded, due both to high considerations of right and public welfare and to the fact that any such evasion would unquestionably be the occasion for new disturbances of peace and order in the Republic, and

Whereas, in accordance with Article III of the constitution the Executive Branch is charged, among other duties, with that of preserving the internal peace and security of the Republic and of taking the measures necessary to insure to its inhabitants the sacred right of suffrage, decrees:

Article 1. The National Board of Elections, as now constituted under the electoral law of March 20, 1923, with General Frank Ross McCoy as President, and with Dr. Ramon Castillo and Dr. Enoc Aguado as political members, is hereby vested with full and general authority to supervise the elections of 1928 for the supreme authorities and to prescribe, with obligatory force, all measures necessary for the registration of voters, for the casting and counting of ballots and regarding all other matters that may pertain to the election.

Article 2. With a view to giving effect to the agreement entered into between the Government of Nicaragua, at its request, and the President of the United States, in accordance with which the latter is to lend his friendly aid to the end that the elections of 1928 for the supreme authorities shall be free, fair and impartial, and subject to the provision that the present chairmen and political members of the National Board of Elections shall continue in the exercise of their respective functions, the electoral law of March 20, 1923, and any other laws and executive decrees that may subsequently have been promulgated and approved, amending or supplementing said law, are hereby suspended. This decree shall enter into effect immediately following its publication and shall continue in force until the said election of 1928 shall have been held and the result thereof shall have been proclaimed by the Congress.

Article 3. In order that absence of its members may not operate to

prevent the due functioning of the National Board of Elections, the composition of said board shall include three *suplentes*, who may be appointed by the President of the Republic in the following manner: The *suplente* of the Chairman of the National Board of Elections shall be that citizen of the United States of America who may be nominated by the President of the United States for that office, and the two *suplentes* for the political members shall be appointed, one upon the nomination of the supreme directorate of each of the two political parties, Conservative and Liberal, respectively. The *suplentes* of the political members and the *suplente* of the chairman of the Board shall be inducted into office by the President of the Supreme Court. The President of the Republic shall remove from office any political member or any *suplente* of the National Board of Elections if the Chairman of that Board so recommends but no removal may be made except upon such recommendation. Vacancies that may occur among the political members of the same or in the office of *suplente* of the Chairman of the Board, shall be filled in the manner in which the original appointments of the corresponding *suplentes* were made. If the Chairman of the Board or any political member be unable to, or fail to, perform the duties of his office, due to any absence or other reason of a temporary character, his place shall be filled by the corresponding *suplente* during the period of such absence or failure to function. Furthermore, should the office of Chairman of the Board become definitely or permanently vacant, the *suplente* of the Chairman shall thereupon take the place of his principal and a new *suplente* shall be appointed.

Article 4. No meeting of the National Board of Elections can be held without the presence of the Chairman of the Board. The presence of the Chairman together with either of the political members shall constitute a quorum for the transaction of the business of the Board; but if the Chairman deem necessary an emergency meeting the presence of the Chairman alone shall constitute a quorum in order to permit the emergency to be met with such measures as may be indispensable to the conduct of a free and fair election. The emergency shall be declared by the Chairman of the Board through formal notice given one day in advance to the political members.

Article 5. No action or decision of the Board shall be valid unless concurred in by the Chairman of the Board. In case of a tie the Chairman of the Board shall have a double vote. The Chairman of the Board is authorized to declare an emergency measure any action or determination which in his opinion may be indispensable for the conduct of a free and fair election; and the measure in question shall become effective as an order of the National Board of Elections 24 hours after it shall have been submitted to the said Board in a formal meeting and have been declared an emergency measure by the Chairman at that meeting.

Article 6. The National Board of Elections has full powers to organize departmental boards and cantonal boards (*directorios electorales*) each of which shall include an equal number of political members from the two

parties and shall be completed and presided over by a citizen of the United States nominated by the National Board of Elections. The said National Board of Elections shall delegate to the departmental boards and cantonal boards such functions as it may deem expedient.

Article 7. The National Board of Elections shall count the votes cast in the elections that may be held, shall determine all questions and controversies that should arise relative to the validity and canvass of said votes and shall issue the corresponding certificates of election to those who may legally be elected to their respective offices. Such certificates shall be submitted to the Congress, to which the National Board of Elections shall transmit a detailed report, appropriate to the requirements of Articles 83 clause 2 and 84 clause 2 of the constitution, in order that the Congress may comply with those provisions.

Article 8. The Chairman of the National Board of Elections shall have, from and after the publication of the present decree, and until the proclamation by the Congress of the result of the elections of 1928 for the supreme authorities, authority to command the services of the national constabulary (*Guardia Nacional*) and to give to that force such orders as he may deem necessary and appropriate to insure a free and impartial election.

Article 9. Upon the proclamation of the result of the elections of 1928 for the supreme authorities, the electoral law of March 20, 1923, and all other laws and executive decrees suspended by Article 2 of this decree shall be restored to full force and effect.

Article 10. The present decree shall go into effect upon its publication by proclamation in the departmental capitals and shall also be published in the *Official Gazette*.

Publish. Executive Mansion, Managua, *March 21, 1928.*

ADOLFO DIAZ

*The Minister of Gobernacion.*

RICARDO LOPEZ,

By special authority.

## CONVENTIONS ON PUBLIC INTERNATIONAL LAW ADOPTED BY THE SIXTH INTERNATIONAL AMERICAN CONFERENCE<sup>1</sup>

*Held at Habana January 16—February 20, 1928*

### CONVENTION ON COMMERCIAL AVIATION

The Governments of the American Republics, desirous of establishing the rules they should observe among themselves for aerial traffic, have decided to lay them down in a convention, and to that effect have appointed as their plenipotentiaries:

<sup>1</sup> English translation reprinted from the appendices to the Report of the Delegates of the United States of America to the Sixth International Conference of American States, issued by the Department of State and published by the Government Printing Office, Washington.

[Here follow the names of the plenipotentiaries.]

Who, after having exchanged their respective full powers, which have been found to be in good and due form, have agreed upon the following:

#### ARTICLE 1

The high contracting parties recognize that every state has complete and exclusive sovereignty over the air space above its territory and territorial waters.

#### ARTICLE 2

The present convention applies exclusively to private aircraft.

#### ARTICLE 3

The following shall be deemed to be state aircraft:

- (a) Military and naval aircraft;
- (b) Aircraft exclusively employed in state service, such as posts, customs, and police.

Every other aircraft shall be deemed to be a private aircraft.

All state aircraft other than military, naval, customs and police aircraft shall be treated as private aircraft and as such shall be subject to all the provisions of the present convention.

#### ARTICLE 4

Each contracting state undertakes in time of peace to accord freedom of innocent passage above its territory to the private aircraft of the other contracting states, provided that the conditions laid down in the present convention are observed. The regulations established by a contracting state with regard to admission over its territory of aircraft of other contracting states shall be applied without distinction of nationality.

#### ARTICLE 5

Each contracting state has the right to prohibit, for reasons which it deems convenient in the public interest, the flight over fixed zones of its territory by the aircraft of the other contracting states and privately owned national aircraft employed in the service of international commercial aviation, with the reservation that no distinction shall be made in this respect between its own private aircraft engaged in international commerce and those of the other contracting states likewise engaged. Each contracting state may furthermore prescribe the route to be followed over its territory by the aircraft of the other states, except in cases of *force majeure* which shall be governed in accordance with the stipulations of Article 18 of this convention. Each state shall publish in advance and notify the other contracting states of the fixation of the authorized routes and the situation and extension of the prohibited zones.

**ARTICLE 6**

Every aircraft over a prohibited area shall be obliged, as soon as this fact is realized or upon being so notified by the signals agreed upon, to land as soon as possible outside of said area in the airdrome nearest the prohibited area over which it was improperly flying and which is considered as an international airport by the subjacent state.

**ARTICLE 7**

Aircraft shall have the nationality of the state in which they are registered and cannot be validly registered in more than one state.

The registration entry and the certificate of registration shall contain a description of the aircraft and state, the number or other mark of identification given by the constructor of the machine, the registry marks and nationality, the name of the airdrome or airport usually used by the aircraft, and the full name, nationality and domicile of the owner, as well as the date of registration.

**ARTICLE 8**

The registration of aircraft referred to in the preceding article shall be made in accordance with the laws and special provisions of each contracting state.

**ARTICLE 9**

Every aircraft engaged in international navigation must carry a distinctive mark of its nationality, the nature of such distinctive mark to be agreed upon by the several contracting states. The distinctive marks adopted will be communicated to the Pan American Union and to the other contracting states.

**ARTICLE 10**

Every aircraft engaged in international navigation shall carry with it in the custody of the aircraft commander:

- (a) A certificate of registration, duly certified to according to the laws of the state in which it is registered;
- (b) A certificate of airworthiness, as provided for in Article 12;
- (c) The certificates of competency of the commander, pilots, engineers, and crew, as provided for in Article 13;
- (d) If carrying passengers, a list of their names, addresses and nationality;
- (e) If carrying merchandise, the bills of lading and manifests, and all other documents required by customs laws and regulations of each country;
- (f) Log books;
- (g) If equipped with radiotelegraph apparatus, the corresponding license.

**ARTICLE 11**

Each contracting state shall every month file with every other state party to this convention and with the Pan American Union, a copy of all registrations and cancellations of registrations of aircraft engaged in international navigation as between the several contracting states.

**ARTICLE 12**

Every aircraft engaged in international navigation (between the several contracting states) shall be provided with a certificate of airworthiness issued by the state whose nationality it possesses.

This document shall certify to the states in which the aircraft is to operate, that, according to the opinion of the authority that issues it, such aircraft complies with the airworthiness requirements of each of the states named in said certificate.

The aircraft commander shall at all times hold the certificate in his custody and shall deliver it for inspection and verification to the authorized representatives of the state which said aircraft visits.

Each contracting state shall communicate to the other states parties to this convention and to the Pan American Union its regulations governing the rating of its aircraft as to airworthiness and shall similarly communicate any changes made therein.

While the states affirm the principle that the aircraft of each contracting state shall have the liberty of engaging in air commerce with the other contracting states without being subjected to the licensing system of any state with which such commerce is carried on, each and every contracting state mentioned in the certificate of airworthiness reserves the right to refuse to recognize as valid the certificate of airworthiness of any foreign aircraft where inspection by a duly authorized commission of such state shows that the aircraft is not, at the time of inspection, reasonably airworthy in accordance with the normal requirements of the laws and regulations of such state concerning the public safety.

In such cases said state may refuse to permit further transit by the aircraft through its air space until such time as it, with due regard to the public safety, is satisfied as to the airworthiness of the aircraft, and shall immediately notify the state whose nationality the aircraft possesses and the Pan American Union of the action taken.

**ARTICLE 13**

The aircraft commander, pilots, engineers, and other members of the operating crew of every aircraft engaged in international navigation between the several contracting states shall, in accordance with the laws of each state, be provided with a certificate of competency by the contracting state whose nationality the aircraft possesses.

Such certificate or certificates shall set forth that each pilot, in addition to

having fulfilled the requirements of the state issuing the same, has passed a satisfactory examination with regard to the traffic rules existing in the other contracting states over which he desires to fly. The requirements of form of said documents shall be uniform throughout all the contracting states and shall be drafted in the language of all of them, and for this purpose the Pan American Union is charged with making the necessary arrangements amongst the contracting states.

Such certificate or certificates shall be held in the possession of the aircraft commander as long as the pilots, engineers and other members of the operating crew concerned continue to be employed on the aircraft. Upon the return of such certificate an authenticated copy thereof shall be retained in the files of the aircraft.

Such certificate or certificates shall be open at all times to the inspection of the duly authorized representatives of any state visited.

Each contracting state shall communicate to the other states parties to this convention and to the Pan American Union its regulations governing the issuance of such certificates and shall from time to time communicate any changes made therein.

#### ARTICLE 14

Each and every contracting state shall recognize as valid, certificates of competency of the aircraft commander, pilots, engineers and other members of the operating crew of an aircraft, issued in accordance with the laws and regulations of other contracting states.

#### ARTICLE 15

The carriage by aircraft of explosives, arms and munitions of war is prohibited in international aerial navigation. Therefore, no foreign or native aircraft authorized for international traffic shall be permitted to transport articles of this nature, either between points situated within the territory of any of the contracting states or through the same even though simply in transit.

#### ARTICLE 16

Each state may prohibit or regulate the carriage or use, by aircraft possessing the nationality of other contracting states, of photographic apparatus. Such regulations as may be adopted by each state concerning this matter shall be communicated to each other contracting state and to the Pan American Union.

#### ARTICLE 17

As a measure of public safety or because of lawful prohibitions, the transportation of articles in international navigation other than those mentioned in Articles 15 and 16 may be restricted by any contracting state. Such restrictions shall be immediately communicated to the other contracting states and to the Pan American Union.

All restrictions mentioned in this article shall apply equally to foreign and national aircraft employed in international traffic.

#### ARTICLE 18

Every aircraft engaged in international traffic which enters the air space of a contracting state with the intention of landing in said state shall do so in the corresponding customs airdrome, except in the cases mentioned in Article 19 and in case of *force majeure*, which must be proved.

Every aircraft engaged in international navigation, prior to its departure from the territorial jurisdiction of a contracting state in which it has landed, shall obtain such clearance as is required by the laws of such state at a port designated as point of departure by such state.

Each and every contracting state shall notify every other state party to this convention and the Pan American Union of such airports as shall be designated by such state as ports of entry and departure.

When the laws or regulations of any contracting state so require, no aircraft shall legally enter into or depart from its territory through places other than those previously authorized by such state as international airports, and the landing therein shall be obligatory unless a special permit, which has been previously communicated to the authorities of said airport, is obtained from the competent authorities of said state, in which permit shall be clearly expressed the distinctive marks which the aircraft is obliged to make visible whenever requested to do so in the manner previously agreed upon in said permit.

In the event that for any reason, after entering the territorial jurisdiction of a contracting state, aircraft of another contracting state should land at a point other than an airport designated as a port of entry in that state, the aircraft commander shall immediately notify the nearest competent authority and hold himself, crew, passengers and cargo at the point of landing until proper entry has been granted by such competent authority, unless communication therewith is impracticable within twenty-four hours.

Aircraft of one of the contracting states which flies over the territory of another contracting state shall be obliged to land as soon as ordered to do so by means of the regulation signals, when for any reason this may be necessary.

In the cases provided for in this article, the aircraft, aircraft commander, crew, passengers and cargo shall be subject to such immigration, emigration, customs, police, quarantine or sanitary inspection as the duly authorized representatives of the subjacent state may make in accordance with its laws.

#### ARTICLE 19

As an exception to the general rules, postal aircraft and aircraft belonging to aerial transport companies regularly constituted and authorized may be exempted, at the option of the subjacent state, from the obligation of landing

at an airdrome designated as a port of entry and authorized to land at certain inland airdromes, designated by the customs and police administration of such state, at which customs formalities shall be complied with. The departure of such aircraft from the state visited may be regulated in a similar manner.

However, such aircraft shall follow the normal air route, and make their identity known by signals agreed upon as they fly across the frontier.

#### ARTICLE 20

From the time of landing of a foreign aircraft at any point whatever until its departure the authorities of the state visited shall have, in all cases, the right to visit and examine the aircraft and to verify all documents with which it must be provided, in order to determine that all the laws, rules and regulations of such states and all the provisions of this convention are complied with.

#### ARTICLE 21

The aircraft of a contracting state engaged in international air commerce shall be permitted to discharge passengers and a part of its cargo at one of the airports designated as a port of entry of any other contracting state, and to proceed to any other airport or airports in such state for the purpose of discharging the remaining passengers and portions of such cargo and in like manner to take on passengers and load cargo destined for a foreign state or states, provided that they comply with the legal requirements of the country over which they fly, which legal requirements shall be the same for native and foreign aircraft engaged in international traffic and shall be communicated in due course to the contracting states and to the Pan American Union.

#### ARTICLE 22

Each contracting state shall have the right to establish reservations and restrictions in favor of its own national aircraft in regard to the commercial transportation of passengers and merchandise between two or more points in its territory, and to other remunerated aeronautical operations wholly within its territory. Such reservations and restrictions shall be immediately published and communicated to the other contracting states and to the Pan American Union.

#### ARTICLE 23

The establishment and operation of airdromes will be regulated by the legislation of each country, equality of treatment being observed.

#### ARTICLE 24

The aircraft of one contracting state engaged in international commerce with another contracting state shall not be compelled to pay other or higher

charges in airports or airdromes open to the public than would be paid by national aircraft of the state visited, likewise engaged in international commerce.

#### ARTICLE 25

So long as a contracting state shall not have established appropriate regulations, the commander of an aircraft shall have rights and duties analogous to those of the captain of a merchant steamer, according to the respective laws of each state.

#### ARTICLE 26

The salvage of aircraft lost at sea shall be regulated, in the absence of any agreement to the contrary, by the principles of maritime law.

#### ARTICLE 27

The aircraft of all states shall have the right, in cases of danger, to all possible aid.

#### ARTICLE 28

Reparations for damages caused to persons or property located in the subjacent territory shall be governed by the laws of each state.

#### ARTICLE 29

In case of war the stipulations of the present convention shall not affect the freedom of action of the contracting states either as belligerents or as neutrals.

#### ARTICLE 30

The right of any of the contracting states to enter into any convention or special agreement with any other state or states concerning international aerial navigation is recognized, so long as such convention or special agreement shall not impair the rights or obligations of any of the states parties to this convention, acquired or imposed herein; provided, however, that two or more states, for reasons of reciprocal convenience and interest may agree upon appropriate regulations pertaining to the operation of aircraft and the fixing of specified routes. These regulations shall in no case prevent the establishment and operation of practicable inter-American aerial lines and terminals. These regulations shall guarantee equality of treatment of the aircraft of each and every one of the contracting states and shall be subject to the same conditions as are set forth in Article 5 of this convention with respect to prohibited areas within the territory of a particular state.

Nothing contained in this convention shall affect the rights and obligations established by existing treaties.

#### ARTICLE 31

The contracting states obligate themselves in so far as possible to coöperate in inter-American measures relative to:

- (a) The centralization and distribution of meteorological information, whether statistical, current or special;
- (b) The publication of uniform aeronautical charts, as well as the establishment of a uniform system of signals;
- (c) The use of radiotelegraph in aerial navigation, the establishment of the necessary radiotelegraph stations and the observance of the inter-American and international radiotelegraph regulations or conventions at present existing or which may come into existence.

#### ARTICLE 32

The contracting states shall procure as far as possible uniformity of laws and regulations governing aerial navigation. The Pan American Union shall coöperate with the governments of the contracting states to attain the desired uniformity of laws and regulations for aerial navigation in the states parties to this convention.

Each contracting state shall exchange with every other contracting state within three months after the date of ratification of this convention copies of its air-traffic rules and requirements as to competency for aircraft commanders, pilots, engineers, and other members of the operating crew, and the requirements for airworthiness of aircraft intended to engage in international commerce.

Each contracting state shall deposit with every other state party to this convention and with the Pan American Union three months prior to the date proposed for their enforcement any additions to or amendments of the regulations referred to in the last preceding paragraph.

#### ARTICLE 33

Each contracting state shall deposit its ratification with the Cuban Government, which shall thereupon inform the other contracting states. Such ratification shall remain deposited in the archives of the Cuban Government.

#### ARTICLE 34

The present convention will come into force for each signatory state ratifying it in respect to other states which have already ratified, forty days from the date of deposit of its ratification.

#### ARTICLE 35

Any state may adhere to this convention by giving notice thereof to the Cuban Government, and such adherence shall be effective forty days thereafter. The Cuban Government shall inform the other signatory states of such adherence.

#### ARTICLE 36

In case of disagreement between two contracting states regarding the interpretation or execution of the present convention the question shall, on

the request of one of the governments in disagreement, be submitted to arbitration as hereinafter provided. Each of the governments involved in the disagreement shall choose another government not interested in the question at issue and the government so chosen shall arbitrate the dispute. In the event the two arbitrators cannot reach an agreement they shall appoint another disinterested government as additional arbitrator. If the two arbitrators cannot agree upon the choice of this third government, each arbitrator shall propose a government not interested in the dispute and lots shall be drawn between the two governments proposed. The drawing shall devolve upon the Governing Board of the Pan American Union.

The decision of the arbitrators shall be by majority vote.

#### ARTICLE 37

Any contracting state may denounce this convention at any time by transmitting notification thereof to the Cuban Government, which shall communicate it to the other states parties to this convention. Such denunciation shall not take effect until six months after notification thereof to the Cuban Government, and shall take effect only with respect to the state making the denunciation.

In witness whereof, the above-named plenipotentiaries have signed this convention and the seal of the Sixth International Conference of American States has been hereto affixed.

#### RESERVATION OF THE DOMINICAN REPUBLIC

The delegation of the Dominican Republic records, as an explanation of its vote, that upon signing the present convention it does not understand that the Dominican Republic dissociates itself from conventions it has already ratified and which are in force.

#### CONVENTION REVISING THE CONVENTION OF BUENOS AIRES REGARDING LITERARY AND ARTISTIC COPYRIGHT

*Signed February 18, 1928*

The countries members of the Pan American Union, represented at the Sixth International Conference of American States, sent to it the following delegates duly authorized to approve any recommendations, resolutions, conventions and treaties which they might deem useful to the interests of America:

[Here follow the names of the delegates.]

Who, after communicating to one another their respective powers and finding them in good and due order, have agreed to revise the convention on the protection of literary and artistic copyright, signed in Buenos Aires on August 11, 1910.<sup>1</sup>

<sup>1</sup> Printed in Supplement to this JOURNAL, Vol. 5 (1911), pp. 11-14.

**ARTICLE 1**

(To stand.)

**ARTICLE 2**

In the expression "literary and artistic works" are included books, writings, pamphlets of all kinds, whatever may be the subject they deal with and whatever the number of their pages; dramatic or dramatico-musical works; choreographic and musical compositions, with or without words; drawings, paintings, sculpture, engravings, lithographic, photographic and cinematographic works, or reproductions by means of mechanical instruments designed for the reproduction of sounds; astronomical or geographical globes; plans, sketches or plastic works relating to geography, geology, or topography, architecture or any other science as well as the arts applied to any human activity whatever; and, finally, all productions that can be published by any means of impression or reproduction.

**ARTICLE 3**

The acknowledgment of a copyright obtained in one state, in conformity with its laws, shall produce its effects of full right in all the other states, without the necessity of complying with any other formality, provided always there shall appear in the work a statement that indicates the reservation of the property right, and the name of the person in whose favor the reservation is registered. Likewise the country of origin, the country in which the first publication was made, or those in which simultaneous publications were made, as well as the year of the first publication, must be indicated.

**ARTICLE 4**

(To stand.)

**ARTICLE 4 bis**

The authors of literary or artistic works have the exclusive right to authorize the reproduction, adaptation and public presentation of their works by means of cinematography.

Without prejudice to the rights of the author of the original work, reproduction by means of cinematography of a literary or artistic work shall be protected as an original work.

**ARTICLE 5**

The authors of literary and musical works have the exclusive right to authorize: (1) The adaptation of said works to instruments that serve to reproduce them mechanically; (2) the public rendering of the same works by means of said instruments.

**ARTICLE 5 bis**

(To stand as in the old Article 5.)

**ARTICLE 6**

The duration of the protection granted by this convention embraces the life of the author and fifty years after his death.

However, in case this duration period shall not be adopted by all the signatory states in a uniform manner, the period shall be regulated by the law of the country where the protection is requested and may not exceed the period of duration fixed by the country of origin of the work. Therefore, the signatory countries shall not be obliged to apply the provision of the preceding paragraph except in so far as their internal laws permit.

For works comprising several volumes that are not published simultaneously, as well as for bulletins, or parts, or periodical publications, the term of the copyright will commence to run, with respect to each volume, bulletin, part, or periodical publication from the respective date of its publication.

**ARTICLE 7**

(To stand.)

**ARTICLE 8**

(To stand.)

**ARTICLE 9**

(To stand.)

**ARTICLE 10**

(To stand.)

**ARTICLE 11**

(To stand.)

**ARTICLE 12**

(To stand.)

**ARTICLE 13**

(To stand.)

**ARTICLE 13 bis**

The authors of literary or artistic works in disposing of them pursuant to their copyrights do not cede the right of enjoyment and of reproduction. They shall hold upon said works a moral right of inalienable control which will permit them to oppose any public reproduction or exhibition of their altered, mutilated or revised works.

**ARTICLE 14**

(To stand.)

**ARTICLE 15**

(To stand.)

**ARTICLE 16**

The present convention shall replace between the contracting states the Buenos Aires convention of August 11, 1910. The latter shall remain in

effect as to the relations of the states that do not ratify the present convention.

The signatory states of the present convention shall be at liberty, upon exchanging ratifications, to declare that upon this or that point they understand that they shall be bound by the provisions of any previous convention which they may have signed.

#### ARTICLE 17

The present convention shall take effect, between the signatory states which ratify the same, three months after they communicate their ratification to the Government of Cuba, and shall remain in effect between all of them until one year after the date of denunciation. This denunciation shall be sent to the Government of Cuba and shall have no effect, except with regard to the country that has made such denunciation.

#### RESERVATION OF THE DELEGATION OF CHILE

The delegation of Chile accepts in general the modification of the convention of Buenos Aires which has just been approved, but must formulate a reservation in regard to the points in which this modified convention is opposed to the legislation in force in Chile.

This reservation does not diminish our earnest desire of attaining the adoption of juridical principles which give equal protection to intellectual property in all countries of America.

#### RESERVATION OF THE DELEGATION OF VENEZUELA

The delegation of Venezuela reserves the signing of this convention until such time as its Government shall reach a definite decision with regard to it, since the convention of Buenos Aires, which Venezuela not only did not ratify but which its Congress expressly rejected, as well as the present convention, contains provisions which are contrary to our juridical tradition and to our positive laws on the matter.

#### CONVENTION ON THE STATUS OF ALIENS

*Signed February 20, 1928*

The Governments of the Republics represented at the Sixth International Conference of American States, held in the city of Habana, Republic of Cuba, in the year 1928;

Have decided to conclude a convention for the purpose of determining the status of aliens within their respective territories and to that end have appointed the following plenipotentiaries:

[Here follow the names of the plenipotentiaries.]

Who, after depositing their full powers, which were found to be in good and due form, have agreed upon the following provisions:

**ARTICLE 1**

States have the right to establish by means of laws the conditions under which foreigners may enter and reside in their territory.

**ARTICLE 2**

Foreigners are subject as are nationals to local jurisdiction and laws, due consideration being given to the limitations expressed in conventions and treaties.

**ARTICLE 3**

Foreigners may not be obliged to perform military service; but those foreigners who are domiciled, unless they prefer to leave the country, may be compelled, under the same conditions as nationals, to perform police, fire-protection, or militia duty for the protection of the place of their domicile against natural catastrophes or dangers not resulting from war.

**ARTICLE 4**

Foreigners are obliged to make ordinary or extraordinary contributions, as well as forced loans, always provided that such measures apply to the population generally.

**ARTICLE 5**

States should extend to foreigners, domiciled or in transit through their territory, all individual guaranties extended to their own nationals, and the enjoyment of essential civil rights without detriment, as regards foreigners, to legal provisions governing the scope of and usages for the exercise of said rights and guaranties.

**ARTICLE 6**

For reasons of public order or safety, states may expel foreigners domiciled, resident, or merely in transit through their territory.

States are required to receive their nationals expelled from foreign soil who seek to enter their territory.

**ARTICLE 7**

Foreigners must not mix in political activities, which are the exclusive province of citizens of the country in which they happen to be; in cases of such interference, they shall be liable to the penalties established by local law.

**ARTICLE 8**

The present convention does not affect obligations previously undertaken by the contracting parties through international agreements.

**ARTICLE 9**

After being signed, the present convention shall be submitted to the ratification of the signatory states. The Government of Cuba is charged with

transmitting authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherence of non-signatory states.

In witness whereof, the aforesigned plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

#### RESERVATION OF THE DELEGATION OF THE UNITED STATES OF AMERICA

The delegation of the United States of America signs the present convention making express reservation to Article 3 of the same, which refers to military service of foreigners in case of war.

#### CONVENTION ON TREATIES

*Signed February 20, 1928*

The governments of the American states being desirous of clearly fixing the rules which must govern the treaties they may sign among themselves, have decided to establish them in a convention, and to that end have appointed the following plenipotentiaries:

[Here follow the names of the plenipotentiaries.]

Who, having exchanged their respective full powers and found them to be in good and due form, have agreed on the following:

#### ARTICLE 1

Treaties will be concluded by the competent authorities of the states or by their representatives, according to their respective internal law.

#### ARTICLE 2

The written form is an essential condition of treaties.

The confirmation, prorogation, renewal or continuance, shall also be made in writing unless other stipulations have been made.

#### ARTICLE 3

The authentic interpretation of treaties, when considered necessary by the contracting parties, shall likewise be in writing.

#### ARTICLE 4

Treaties shall be published immediately after exchange of ratifications. The failure to discharge this international duty shall affect neither the force of treaties nor the fulfilment of obligations stipulated therein.

**ARTICLE 5**

Treaties are obligatory only after ratification by the contracting states, even though this condition is not stipulated in the full powers of the negotiators or does not appear in the treaty itself.

**ARTICLE 6**

Ratification must be unconditional and must embrace the entire treaty. It must be made in writing pursuant to the legislation of the state.

In case the ratifying state makes reservations to the treaty it shall become effective when the other contracting party informed of the reservations expressly accepts them, or having failed to reject them formally, should perform actions implying its acceptance.

In international treaties celebrated between different states, a reservation made by one of them in the act of ratification affects only the application of the clause in question in the relation of the other contracting states with the state making the reservation.

**ARTICLE 7**

Refusal to ratify or the formulation of a reservation are acts inherent in national sovereignty and as such constitute the exercise of a right which violates no international stipulation or good form. In case of refusal it shall be communicated to the other contracting parties.

**ARTICLE 8**

Treaties shall become effective from the date of exchange or deposit of ratification, unless some other date has been agreed upon through an express provision.

**ARTICLE 9**

The acceptance or the non-acceptance of provisions in a treaty, for the benefit of a third state which was not a contracting party, depends exclusively upon the latter's decision.

**ARTICLE 10**

No state can relieve itself of the obligations of a treaty or modify its stipulations except by the agreement, secured through peaceful means, of the other contracting parties.

**ARTICLE 11**

Treaties shall continue in effect even though the internal constitution of the contracting states has been modified. If the organization of the state should be changed in such a manner as to render impossible the execution of treaties, because of division of territory or other like reasons, treaties shall be adapted to the new conditions.

**ARTICLE 12**

Whenever a treaty becomes impossible of execution through the fault of the party entering into the obligation, or through circumstances which at the moment of concluding it were under control of this party and unknown to the other party, the former shall be responsible for damages resulting from its non-execution.

**ARTICLE 13**

The execution of a treaty may, through express stipulation or by virtue of special agreement, be placed wholly or partly under the guaranty of one or more states.

The guarantor state can intervene in the execution of the treaty only by virtue of a request by one of the interested parties and then only under the conditions which were stipulated for intervention. When intervention takes place, only such measures may be employed by the guarantor state as are sanctioned by international law, and without other requirements of greater scope than those of the state which has been guaranteed.

**ARTICLE 14**

Treaties cease to be effective:

- (a) When the stipulated obligation has been fulfilled;
- (b) When the length of time for which it was made has expired;
- (c) When the resolutory condition has been fulfilled;
- (d) By agreement between the parties;
- (e) By renunciation of the party exclusively entitled to a benefit thereunder;
- (f) By total or partial denunciation, if agreed upon;
- (g) When it becomes incapable of execution.

**ARTICLE 15**

The caducity of a treaty may also be declared when it is permanent and of non-continuous application, on condition that the causes which originated it have disappeared and when it may logically be deduced that they will not reappear in the future.

The contracting party invoking this caducity may, upon not obtaining the consent of the other party or parties, appeal to arbitration, the contracted obligation to remain in force if a favorable award is not obtained and while the decision is being made.

**ARTICLE 16**

Obligations contracted in treaties shall be sanctioned in cases of non-compliance and when all diplomatic negotiations have been exhausted without success, by decision of a court of justice or an arbitral tribunal within the limits and according to the procedure in use at the time in which the infraction is alleged.

**ARTICLE 17**

Treaties whose denunciation may have been agreed upon and those establishing rules of international law, can be denounced only in the manner provided thereby.

In the absence of such a stipulation, a treaty may be denounced by any contracting state, which state shall notify the others of this decision, provided it has complied with all obligations covenanted therein.

In this event the treaty shall become ineffective, as far as the denouncing state is concerned, one year after the last notification, and will continue in force for any other signatory states, if any.

**ARTICLE 18**

Two or more states may agree that their relations are to be governed by rules other than those established in general conventions celebrated by them with other states.

This precept applies not only to future treaties but also to those in effect at the time of concluding this convention.

**ARTICLE 19**

A state not participating in the making of a treaty may adhere to the same if none other of the contracting parties be opposed, its adherence to be communicated to all. The adherence shall be deemed final unless made with express reservation of ratification.

**ARTICLE 20**

The present convention does not affect obligations previously undertaken by contracting parties through international agreements.

**ARTICLE 21**

After being signed, the present convention shall be submitted to the ratification of the signatory states. The Government of Cuba is charged with transmitting authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherence of non-signatory states.

In witness whereof the aforesigned plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

**RESERVATION OF THE DELEGATION OF MEXICO**

The delegation of Mexico, regardless of the contrary vote it wishes to formulate with respect to several articles in the conventions on public interna-

tional law already adopted, will sign them making as sole reservation one relative to Article 13, which it does not accept, of the convention on treaties.

#### RESERVATION OF THE DELEGATION OF SALVADOR

The delegation of Salvador not only casts its negative vote to Article 13, but it also votes against the convention and does not sign it.

#### RESERVATIONS OF THE DELEGATION OF BOLIVIA

In the opinion of the delegation of Bolivia the condition of becoming incapable of execution to which Section G of Article 14 refers, also arises, among others, in the following cases:

1. When the facts and circumstances which gave origin or served as a basis to the treaty have been fundamentally modified;
2. When its execution becomes contrary to the nature of things;
3. When it becomes incompatible with the existence, independence or dignity of a state;
4. When it becomes ruinous to its wealth or its commerce.

The reservation which Bolivia makes to Article 15 is to the effect that not only treaties of non-continuous application, as provided in said article, are subject to a declaration of caducity, but that the same should apply to all kinds of treaties, whatever their nature or denomination, even to those so-called definitive treaties which like every human covenant are liable to error, since there is nothing immutable and eternal.

#### CONVENTION ON DIPLOMATIC OFFICERS

*Signed February 20, 1928*

The Governments of the Republics represented at the Sixth International Conference of American States, held in the city of Habana, Republic of Cuba, the year 1928, being aware that one of the most important matters in the field of international relations is that pertaining to the rights and duties of diplomatic officers, which should be regulated in accordance with the conditions of economic, political, and international life of nations;

Realizing the desirability that such regulation be effected pursuant to the new trends on the matter;

Recognizing that diplomatic officers do not in any case represent the person of the chief of state but only their government and that they must be accredited to a recognized government; and

Acknowledging the fact that diplomatic officers represent their respective states and should not claim immunities which are not essential to the discharge of their official duties, and acknowledging also that it would seem desirable that either the officer himself or the state represented by him renounce

diplomatic immunity whenever touching upon a civil action entirely alien to the fulfilment of his mission;

There being no possibility, nevertheless, at the present moment, of agreeing to general stipulations which although forming a well-defined trend in international relations sometimes conflict with the established practices of various states in a contrary sense;

Therefore and until a more complete regulation of the rights and duties of diplomatic officers can be formulated;

Have decided to conclude a convention incorporating the principles generally accepted by all nations, and have designated the following plenipotentiaries:

[Here follow the names of the plenipotentiaries.]

Who, after having deposited their full powers, found to be in good and due form, have agreed on the following provisions:

#### ARTICLE 1.—*General provision*

States have the right of being represented before each other through diplomatic officers.

#### SECTION I.—*Chiefs of mission*

##### ARTICLE 2

Diplomatic officers are classed as ordinary and extraordinary.

Those who permanently represent the government of one state before that of another are ordinary.

Those entrusted with a special mission or those who are accredited to represent the government in international conferences and congresses or other international bodies are extraordinary.

##### ARTICLE 3

Except as concerns precedence and etiquette, diplomatic officers, whatever their category, have the same rights, prerogatives and immunities.

Etiquette depends upon diplomatic usages in general as well as upon the laws and regulations of the country to which the officers are accredited.

##### ARTICLE 4

In addition to the functions indicated in their credentials, ordinary officers possess the attributes which the laws and decrees of the respective countries may confer upon them. They should exercise their attributes without coming into conflict with the laws of the country to which they are accredited.

##### ARTICLE 5

Every state may entrust its representation before one or more governments to a single diplomatic officer.

Several states may entrust their representation before another to a single diplomatic officer.

**ARTICLE 6**

Diplomatic officers, duly authorized by their governments, may, with the consent of the local government, and upon the request of a state not represented by an ordinary officer before the latter government, undertake the temporary or accidental protection of the interests of the said state.

**ARTICLE 7**

States are free in the selection of their diplomatic officers; but they may not invest with such functions the nationals of a state in which the mission must function, without its consent.

**ARTICLE 8**

No state may accredit its diplomatic officers to other states without previous agreement with the latter.

States may decline to receive an officer from another or, having already accepted him, may request his recall without being obliged to state the reasons for such a decision.

**ARTICLE 9**

Extraordinary diplomatic officers enjoy the same prerogatives and immunities as ordinary ones.

**SECTION II.—*Personnel of missions*****ARTICLE 10**

Each mission shall have the personnel determined by its government.

**ARTICLE 11**

When diplomatic officers are absent from the place where they exercise their functions or find it impossible to discharge them, they shall be substituted for temporarily, by persons designated for that purpose by their government.

**SECTION III.—*Duties of diplomatic officers*****ARTICLE 12**

Foreign diplomatic officers may not participate in the domestic or foreign politics of the state in which they exercise their functions.

**ARTICLE 13**

Diplomatic officers shall, in their official communications, address themselves to the minister of foreign relations or secretary of state of the country to which they are accredited. Communications to the other authorities shall also be made through the said minister or secretary.

**SECTION IV.—*Immunities and prerogatives of diplomatic officers*****ARTICLE 14**

Diplomatic officers shall be inviolate as to their persons, their residence, private or official, and their property. This inviolability covers:

- (a) All classes of diplomatic officers;
- (b) The entire official personnel of the diplomatic mission;
- (c) The members of the respective families living under the same roof;
- (d) The papers, archives, and correspondence of the mission.

**ARTICLE 15**

States should extend to diplomatic officers every facility for the exercise of their functions and especially to the end that they may freely communicate with their governments.

**ARTICLE 16**

No judicial or administrative functionary or official of the state to which the diplomatic officer is accredited may enter the domicile of the latter, or of the mission, without his consent.

**ARTICLE 17**

Diplomatic officers are obliged to deliver to the competent local authority that requests it any person accused or condemned for ordinary crimes, who may have taken refuge in the mission.

**ARTICLE 18**

Diplomatic officers shall be exempt in the state to which they are accredited:

1. From all personal taxes, either national or local;
2. From all land taxes on the building of the mission, when it belongs to the respective government;
3. From customs duties on articles intended for the official use of the mission, or for the personal use of the diplomatic officer or of his family.

**ARTICLE 19**

Diplomatic officers are exempt from all civil or criminal jurisdiction of the state to which they are accredited; they may not, except in the case when duly authorized by their government they waive immunity, be prosecuted or tried unless it be by the courts of their own country.

**ARTICLE 20**

The immunity from jurisdiction survives the tenure of office of diplomatic officers in so far as regards actions pertaining thereto; it may not, however, be invoked in respect to other actions except while discharging their diplomatic functions.

**ARTICLE 21**

Persons enjoying immunity from jurisdiction may refuse to appear as witnesses before the territorial courts.

**ARTICLE 22**

Diplomatic officers enter upon the enjoyment of their immunity from the moment they pass the frontier of the state where they are going to serve and make known their position.

The immunities shall continue during the period that the mission may be suspended, and, even after it shall be terminated, for the time necessary for the officer to be able to withdraw with the mission.

**ARTICLE 23**

Persons belonging to the mission shall also enjoy the same immunities and prerogatives in the states which they cross to arrive at their post or to return to their own country, or in a state where they may casually be during the exercise of their functions and to whose Government they have made known their position.

**ARTICLE 24**

In case of death of the diplomatic officer, his family shall continue to enjoy the immunities for a reasonable term, until they may leave the state.

**SECTION V.—*Termination of the diplomatic mission*****ARTICLE 25**

The mission of the diplomatic officer ends:

1. By the official notification of the officer's government to the other government that the officer has terminated his functions;
2. By the expiration of the period fixed for the completion of the mission;
3. By the solution of the matter, if the mission had been created for a particular question;
4. By the delivery of passports to the officer by the government to which he is accredited;
5. By the request for his passports made by the diplomatic officer to the government to which he is accredited.

In the above-mentioned cases, a reasonable period shall be given the diplomatic officer, the official personnel of the mission, and their respective families, to quit the territory of the state; and it shall be the duty of the government to which the officer was accredited to see that during this time none of them is molested nor injured in his person or property.

Neither the death or resignation of the head of the state nor the change of government or political régime of either of the two countries shall terminate the mission of the diplomatic officers.

**ARTICLE 26**

The present convention does not affect obligations previously undertaken by the contracting parties through international agreements.

**ARTICLE 27**

After being signed, the present convention shall be submitted to the ratification of the signatory states. The Government of Cuba is charged with transmitting authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherence of the non-signatory states.

In witness whereof, the aforesigned plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

**CONVENTION ON CONSULAR AGENTS**

*Signed February 20, 1928*

The governments of the Republics represented at the Sixth International Conference of American States, held in the city of Habana, Republic of Cuba, in the year nineteen hundred and twenty-eight, desirous of defining the duties, rights, prerogatives and immunities of consular agents, in accordance with the usages and agreements on the matter;

Have decided to conclude a convention to that end and have appointed the following plenipotentiaries:

[Here follow the names of the plenipotentiaries.]

Who, after having deposited their full powers, found to be in good and due form, have agreed to the following provisions:

**SECTION I.—Appointments and functions****ARTICLE 1**

States may appoint in the territory of others, with the express or tacit consent of the latter, consuls who shall there represent and defend their commercial and industrial interests and render to their nationals such assistance and protection as they may need.

**ARTICLE 2**

The form and requirements for appointment, the classes and the rank of the consuls, shall be regulated by the domestic laws of the respective state.

**ARTICLE 3**

Unless consented to by the state where he is to serve, one of its nationals may not act as consul. The granting of an exequatur implies such consent.

**ARTICLE 4**

The consul having been appointed, the state shall forward through diplomatic channels to the other state the respective commission which shall contain the name, category and authority of the appointee.

As to a vice consul or commercial agent appointed by the respective consul, where there is authorization by law, the commission shall be issued and communicated to the latter.

**ARTICLE 5**

States may refuse to accept consuls appointed in their territory or subject the exercise of consular functions to certain special obligations.

**ARTICLE 6**

The consul can be recognized as such only after having presented his commission and obtained the exequatur of the state in whose territory he is to serve. Provisional recognition can be granted upon the request of the legation of the consul pending the delivery in due form of the exequatur.

Officials appointed under the terms of Article 4 are likewise subject to this formality and in such case it rests with the respective consul to request the exequatur.

**ARTICLE 7**

The exequatur having been obtained, it shall be presented to the authorities of the consular district, who shall protect the consul in the exercise of his functions and guarantee to him the immunities to which he is entitled.

**ARTICLE 8**

The territorial government may at any time withdraw the consul's exequatur, but, except in urgent cases, it shall not have recourse to this measure without previously attempting to obtain from the consul's government his recall.

**ARTICLE 9**

In case of the death, disability or absence of consular agents any of the assistant employees whose official position has been previously made known to the ministry of foreign affairs or the department of state, may temporarily assume the consular functions; while thus engaged he shall enjoy all the rights and prerogatives corresponding to the permanent official.

**ARTICLE 10**

Consuls shall exercise the functions that the law of their state confers upon them, without prejudice to the legislation of the country where they are serving.

**ARTICLE 11**

In the exercise of their functions, consuls shall deal directly with the authorities of their district. Should their representations not be heeded, they may then pursue them before the government of the state through the intermediary of their diplomatic representative, but should not communicate directly with the government except in the absence or non-existence of a diplomatic representative.

**ARTICLE 12**

In case of the absence of a diplomatic representative of the consul's state, the consul may undertake such diplomatic actions as the government of the state in which he functions may permit in such cases.

**ARTICLE 13**

A person duly accredited for the purpose may combine diplomatic representation and the consular function provided the state before which he is accredited consents to it.

**SECTION II.—*Prerogatives of consuls*****ARTICLE 14**

In the absence of a special agreement between two nations, the consular agents who are nationals of the state appointing them, shall neither be arrested nor prosecuted except in the cases when they are accused of committing an act classed as a crime by local legislation.

**ARTICLE 15**

In criminal cases, the prosecution or the defense may request attendance of consular agents at the trial, as witnesses. This request must be made with all possible consideration to consular dignity and to the duties of the consular office and shall be complied with by the consular official.

Consular agents shall be subject to the jurisdiction of the courts in civil cases, although with the limitation that when the consul is a national of his state and is not engaged in any private business with purposes of gain, his testimony shall be taken either verbally or in writing, at his residence or office, with all the consideration to which he is entitled.

The consul may, nevertheless, of his own free will appear as a witness when such appearance does not seriously hinder the discharge of his official duties.

**ARTICLE 16**

Consuls are not subject to local jurisdiction for acts done in their official character and within the scope of their authority. In case a private individual deems himself injured by the consul's action, he must submit his complaint to the government, which, if it considers the claim to be relevant, shall make it valid through diplomatic channels.

**ARTICLE 17**

In respect to unofficial acts, consuls are subject, in civil as well as in criminal matters, to the jurisdiction of the state where they exercise their functions.

**ARTICLE 18**

The official residence of the consuls and places used for the consulate's offices and archives are inviolable and in no case may the local authorities enter them without the permission of the consular agents; neither shall they examine nor seize, under any pretext whatsoever, documents or other objects found in a consular office. No consular officer shall be required to present his official files before the courts or to make declaration with respect to their contents.

When consular agents are engaged in business within the territory of the state where they are exercising their duties, the files and documents of the consulate shall be kept in a place entirely separate from the one where private or business papers are kept.

**ARTICLE 19**

Consuls are obliged to deliver, upon the simple request of the local authorities, persons accused or condemned for crimes who may have sought refuge in the consulate.

**ARTICLE 20**

Consular agents, as well as the employees of the consulate who are nationals of the state appointing them, not engaged in business with purposes of gain, in the state where they perform their functions, shall be exempt from all national, state, provincial, or municipal taxes levied upon their person or property, except such taxes as may apply to the possession or ownership of real estate located in the state where discharging their duties or to the proceeds of the same. Consular agents and employees who are nationals of the state they represent, are exempt from taxes on the salaries, honorariums, or wages which they receive in return for their consular services.

**ARTICLE 21**

The employee who substitutes for the consular agent in his absence, or for another cause, shall enjoy during his temporary term of office the same immunities and prerogatives as the latter.

**ARTICLE 22**

Consuls engaged in business or exercising other functions apart from those pertaining to their consular duties are subject to local jurisdiction in all their activities not pertaining to the consular service.

**SECTION III.—Suspension and termination of consular functions****ARTICLE 23**

Consular agents suspend their functions because of illness or leave of absence, and terminate their office:

- (a) By death;
- (b) By retirement, resignation, or dismissal; and
- (c) By the cancellation of the *exequatur*.

**ARTICLE 24**

The present convention does not affect obligations previously undertaken by the contracting parties through international agreements.

**ARTICLE 25**

After being signed, the present convention shall be submitted to the ratification of the signatory states. The Government of Cuba is charged with transmitting authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherence of non-signatory states.

In witness whereof, the aforementioned plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

**RESERVATION OF THE DELEGATION OF VENEZUELA**

On behalf of the Government that I represent, I make a reservation with respect to the coincidence of diplomatic and consular functions in the same person, because it is totally opposed to our tradition, maintained since it was established until the present time, in a way that admits of no change.

**CONVENTION ON MARITIME NEUTRALITY**

*Signed February 20, 1928*

The Governments of the Republics represented at the Sixth International Conference of American States, held in the city of Habana, Republic of Cuba, in the year 1928;

Desiring that, in case war breaks out between two or more states the other states may, in the service of peace, offer their good offices or mediation to bring the conflict to an end, without such an action being considered as an unfriendly act;

Convinced that in case this aim cannot be attained, neutral states have equal interest in having their rights respected by the belligerents;

Considering that neutrality is the juridical situation of states which do not

take part in the hostilities, and that it creates rights and imposes obligations of impartiality, which should be regulated;

Recognizing that international solidarity requires that the liberty of commerce should be always respected, avoiding as far as possible unnecessary burdens for the neutrals;

It being convenient, that as long as this object is not reached, to reduce those burdens as much as possible; and

In the hope that it will be possible to regulate the matter so that all interests concerned may have every desired guaranty;

Have resolved to formulate a convention to that effect and have appointed the following plenipotentiaries:

[Here follow the names of the plenipotentiaries.]

Who, after having presented their credentials, which were found in good and correct form, have agreed upon the following provisions:

#### SECTION I.—*Freedom of commerce in time of war*

##### ARTICLE 1

The following rules shall govern commerce in time of war:

1. Warships of the belligerents have the right to stop and visit on the high seas and in territorial waters that are not neutral any merchant ship with the object of ascertaining its character and nationality and of verifying whether it conveys cargo prohibited by international law or has committed any violation of blockade. If the merchant ship does not heed the signal to stop, it may be pursued by the warship and stopped by force; outside of such a case the ship cannot be attacked unless, after being hailed, it fails to observe the instructions given it.

The ship shall not be rendered incapable of navigation before the crew and passengers have been placed in safety.

2. Belligerent submarines are subject to the foregoing rules. If the submarine cannot capture the ship while observing these rules, it shall not have the right to continue to attack or to destroy the ship.

##### ARTICLE 2

Both the detention of the vessel and its crew for violation of neutrality shall be made in accordance with the procedure which best suits the state effecting it and at the expense of the transgressing ship. Said state, except in the case of grave fault on its part, is not responsible for damages which the vessel may suffer.

#### SECTION II.—*Duties and rights of belligerents*

##### ARTICLE 3

Belligerent states are obligated to refrain from performing acts of war in neutral waters or other acts which may constitute on the part of the state that tolerates them, a violation of neutrality.

**ARTICLE 4**

Under the terms of the preceding article, a belligerent state is forbidden:

(a) To make use of neutral waters as a base of naval operations against the enemy, or to renew or augment military supplies or the armament of its ships, or to complete the equipment of the latter;

(b) To install in neutral waters radiotelegraph stations or any other apparatus which may serve as a means of communication with its military forces, or to make use of installations of this kind it may have established before the war and which may not have been opened to the public.

**ARTICLE 5**

Belligerent warships are forbidden to remain in the ports or waters of a neutral state more than twenty-four hours. This provision will be communicated to the ship as soon as it arrives in port or in the territorial waters, and if already there at the time of the declaration of war, as soon as the neutral state becomes aware of this declaration.

Vessels used exclusively for scientific, religious, or philanthropic purposes are exempted from the foregoing provisions.

A ship may extend its stay in port more than twenty-four hours in case of damage or bad conditions at sea, but must depart as soon as the cause of the delay has ceased.

When, according to the domestic law of the neutral state, the ship may not receive fuel until twenty-four hours after its arrival in port, the period of its stay may be extended an equal length of time.

**ARTICLE 6**

The ship which does not conform to the foregoing rules may be interned by order of the neutral government.

A ship shall be considered as interned from the moment it receives notice to that effect from the local neutral authority, even though a petition for re-consideration of the order has been interposed by the transgressing vessel, which shall remain under custody from the moment it receives the order.

**ARTICLE 7**

In the absence of a special provision of the local legislation, the maximum number of ships of war of a belligerent which may be in a neutral port at the same time shall be three.

**ARTICLE 8**

A ship of war may not depart from a neutral port within less than twenty-four hours after the departure of an enemy warship. The one entering first shall depart first, unless it is in such condition as to warrant extending its stay. In any case the ship which arrived later has the right to notify the other through the competent local authority that within twenty-four hours

it will leave the port, the one first entering, however, having the right to depart within that time. If it leaves, the notifying ship must observe the interval which is above stipulated.

#### ARTICLE 9

Damaged belligerent ships shall not be permitted to make repairs in neutral ports beyond those that are essential to the continuance of the voyage and which in no degree constitute an increase in its military strength.

Damages which are found to have been produced by the enemy's fire shall in no case be repaired.

The neutral state shall ascertain the nature of the repairs to be made and will see that they are made as rapidly as possible.

#### ARTICLE 10

Belligerent warships may supply themselves with fuel and stores in neutral ports, under the conditions especially established by the local authority and in case there are no special provisions to that effect, they may supply themselves in the manner prescribed for provisioning in time of peace.

#### ARTICLE 11

Warships which obtain fuel in a neutral port cannot renew their supply in the same state until a period of three months has elapsed.

#### ARTICLE 12

Where the sojourn, supplying, and provisioning of belligerent ships in the ports and jurisdictional waters of neutrals are concerned, the provisions relative to ships of war shall apply equally:

1. To ordinary auxiliary ships;

2. To merchant ships transformed into warships, in accordance with Convention VII of The Hague of 1907.

The neutral vessel shall be seized and in general subjected to the same treatment as enemy merchantmen:

(a) When taking a direct part in the hostilities;

(b) When at the orders or under the direction of an agent placed on board by an enemy government;

(c) When entirely freight-loaded by an enemy government;

(d) When actually and exclusively destined for transporting enemy troops or for the transmission of information on behalf of the enemy.

In the cases dealt with in this article, merchandise belonging to the owner of the vessel or ship shall also be liable to seizure.

3. To armed merchantmen.

**ARTICLE 13**

Auxiliary ships of belligerents, converted anew into merchantmen, shall be admitted as such in neutral ports subject to the following conditions:

1. That the transformed vessel has not violated the neutrality of the country where it arrives;
2. That the transformation has been made in the ports or jurisdictional waters of the country to which the vessel belongs, or in the ports of its allies;
3. That the transformation be genuine, namely, that the vessel show neither in its crew nor in its equipment that it can serve the armed fleet of its country as an auxiliary, as it did before;
4. That the government of the country to which the ship belongs communicate to the states the names of auxiliary craft which have lost such character in order to recover that of merchantmen; and
5. That the same government obligate itself that said ships shall not again be used as auxiliaries to the war fleet.

**ARTICLE 14**

The airships of belligerents shall not fly above the territory or the territorial waters of neutrals if it is not in conformity with the regulations of the latter.

**SECTION III. — *Rights and duties of neutrals*****ARTICLE 15**

Of the acts of assistance coming from the neutral states, and the acts of commerce on the part of individuals, only the first are contrary to neutrality.

**ARTICLE 16**

The neutral state is forbidden:

- (a) To deliver to the belligerent, directly or indirectly, or for any reason whatever, ships of war, munitions or any other war material;
- (b) To grant it loans, or to open credits for it during the duration of war.

Credits that a neutral state may give to facilitate the sale or exportation of its food products and raw materials are not included in this prohibition.

**ARTICLE 17**

Prizes cannot be taken to a neutral port except in case of unseaworthiness, stress of weather, or want of fuel or provisions. When the cause has disappeared, the prizes must leave immediately; if none of the indicated conditions exist, the state shall suggest to them that they depart, and if not obeyed shall have recourse to the means at its disposal to disarm them with their officers and crew, or to intern the prize crew placed on board by the captor.

**ARTICLE 18**

Outside of the cases provided for in Article 17, the neutral state must release the prizes which may have been brought into its territorial waters.

**ARTICLE 19**

When a ship transporting merchandise is to be interned in a neutral state, cargo intended for said country shall be unloaded and that destined for others shall be transhipped.

**ARTICLE 20**

The merchantman supplied with fuel or other stores in a neutral state which repeatedly delivers the whole or part of its supplies to a belligerent vessel, shall not again receive stores and fuel in the same state.

**ARTICLE 21**

Should it be found that a merchantman flying a belligerent flag, by its preparations or other circumstances, can supply to warships of a state the stores which they need, the local authority may refuse it supplies or demand of the agent of the company a guaranty that the said ship will not aid or assist any belligerent vessel.

**ARTICLE 22**

Neutral states are not obligated to prevent the export or transit at the expense of any one of the belligerents of arms, munitions and in general of anything which may be useful to their military forces.

Transit shall be permitted when, in the event of a war between two American nations, one of the belligerents is a Mediterranean country, having no other means of supplying itself, provided the vital interests of the country through which transit is requested do not suffer by the granting thereof.

**ARTICLE 23**

Neutral states shall not oppose the voluntary departure of nationals of belligerent states even though they leave simultaneously in great numbers; but they may oppose the voluntary departure of their own nationals going to enlist in the armed forces.

**ARTICLE 24**

The use by the belligerents of the means of communication of neutral states or which cross or touch their territory is subject to the measures dictated by the local authority.

**ARTICLE 25**

If as the result of naval operations beyond the territorial waters of neutral states there should be dead or wounded on board belligerent vessels, said states may send hospital ships under the vigilance of the neutral government

to the scene of the disaster. These ships shall enjoy complete immunity during the discharge of their mission.

#### ARTICLE 26

Neutral states are bound to exert all the vigilance within their power in order to prevent in their ports or territorial waters any violation of the foregoing provisions.

#### SECTION IV.—*Fulfilment and observance of the laws of neutrality*

#### ARTICLE 27

A belligerent shall indemnify the damage caused by its violation of the foregoing provisions. It shall likewise be responsible for the acts of persons who may belong to its armed forces.

#### ARTICLE 28

The present convention does not affect obligations previously undertaken by the contracting parties through international agreements.

#### ARTICLE 29

After being signed, the present convention shall be submitted to the ratification of the signatory states. The Government of Cuba is charged with transmitting authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherents of non-signatory states.

In witness whereof, the aforesigned plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

#### RESERVATION OF THE DELEGATION OF THE UNITED STATES OF AMERICA

The delegation of the United States of America signs the present convention with a reservation regarding Article 12, section 3.

#### RESERVATION OF THE DELEGATION OF CHILE

The delegation of Chile signs the present convention with a reservation concerning Article 22, paragraph 2.

#### RESERVATION OF THE DELEGATION OF CUBA

The delegation of the Republic of Cuba signs with a reservation in reference to Article 12, section 3.

## CONVENTION ON ASYLUM

*Signed February 20, 1928*

The Governments of the States of America, being desirous of fixing the rules they must observe for the granting of asylum, in their mutual relations have agreed to establish them in a convention and to that end have appointed as plenipotentiaries:

[Here follow the names of the plenipotentiaries.]

Who, after exchanging their respective full powers, found to be in good and due form, have agreed on the following:

## ARTICLE 1

It is not permissible for states to grant asylum in legations, warships, military camps, or military aircraft, to persons accused of or condemned for common crimes, or to deserters from the army or navy.

Persons accused of or condemned for common crimes taking refuge in any of the places mentioned in the preceding paragraph, shall be surrendered upon request of the local government.

Should said persons take refuge in foreign territory, surrender shall be brought about through extradition, but only in such cases and in the form established by the respective treaties and conventions or by the constitution and laws of the country of refuge.

## ARTICLE 2

Asylum granted to political offenders in legations, warships, military camps, or military aircraft, shall be respected to the extent in which allowed, as a right or through humanitarian toleration, by the usages, the conventions, or the laws of the country in which granted and in accordance with the following provisions:

1. Asylum may not be granted except in urgent cases and for the period of time strictly indispensable for the person who has sought asylum to ensure in some other way his safety.

2. Immediately upon granting asylum, the diplomatic agent, commander of a warship, or military camp, or aircraft, shall report the fact to the minister of foreign relations of the state of the person who has secured asylum, or to the local administrative authority, if the act occurred outside the capital.

3. The government of the state may require that the refugee be sent out of the national territory within the shortest time possible; and the diplomatic agent of the country who has granted asylum may in turn require the guarantees necessary for the departure of the refugee with due regard to the inviolability of his person, from the country.

4. Refugees shall not be landed in any point of the national territory nor in any place too near thereto.

5. While enjoying asylum, refugees shall not be allowed to perform acts contrary to the public peace.

6. States are under no obligation to defray expenses incurred by one granting asylum.

#### ARTICLE 3

The present convention does not affect obligations previously undertaken by the contracting parties through international agreements.

#### ARTICLE 4

After being signed, the present convention shall be submitted to the ratification of the signatory states. The Government of Cuba is charged with transmitting authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be deposited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherence of non-signatory states.

In witness whereof, the aforesigned plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

#### RESERVATION OF THE DELEGATION OF THE UNITED STATES OF AMERICA

The delegation of the United States of America, in signing the present convention, establishes an explicit reservation, placing on record that the United States does not recognize or subscribe to as part of international law, the so-called doctrine of asylum.

#### CONVENTION ON THE RIGHTS AND DUTIES OF STATES IN THE EVENT OF CIVIL STRIFE

*Signed February 20, 1928*

The Governments of the Republics represented at the Sixth International Conference of American States, held in the city of Habana, Republic of Cuba, in the year 1928, desirous of reaching an agreement as to the duties and rights of states in the event of civil strife, have appointed the following plenipotentiaries:

[Here follow the names of the plenipotentiaries.]

Who, after exchanging their respective full powers, which were found to be in good and due form, have agreed upon the following:

#### ARTICLE 1

The contracting states bind themselves to observe the following rules with regard to civil strife in another one of them:

1. To use all means at their disposal to prevent the inhabitants of their territory, nationals or aliens, from participating in, gathering elements, crossing the boundary or sailing from their territory for the purpose of starting or promoting civil strife.

2. To disarm and intern every rebel force crossing their boundaries, the expenses of internment to be borne by the state where public order may have been disturbed. The arms found in the hands of the rebels may be seized and withdrawn by the government of the country granting asylum, to be returned, once the struggle has ended, to the state in civil strife.

3. To forbid the traffic in arms and war material, except when intended for the government, while the belligerency of the rebels has not been recognized, in which latter case the rules of neutrality shall be applied.

4. To prevent that within their jurisdiction there be equipped, armed or adapted for warlike purposes any vessel intended to operate in favor of the rebellion.

#### ARTICLE 2

The declaration of piracy against vessels which have risen in arms, emanating from a government, is not binding upon the other states.

The state that may be injured by depredations originating from insurgent vessels is entitled to adopt the following punitive measures against them: Should the authors of the damages be warships, it may capture and return them to the government of the state to which they belong, for their trial; should the damage originate with merchantmen, the injured state may capture and subject them to the appropriate penal laws.

The insurgent vessel, whether a warship or a merchantman, which flies the flag of a foreign country to shield its actions, may also be captured and tried by the state of said flag.

#### ARTICLE 3

The insurgent vessel, whether a warship or a merchantman, equipped by the rebels, which arrives at a foreign country or seeks refuge therein, shall be delivered by the government of the latter to the constituted government<sup>of</sup> of the state in civil strife, and the members of the crew shall be considered as political refugees.

#### ARTICLE 4

The present convention does not affect obligations previously undertaken by the contracting parties through international agreements.

#### ARTICLE 5

After being signed, the present convention shall be submitted to the ratification of the signatory states. The Government of Cuba is charged with transmitting authentic certified copies to the governments for the aforementioned purpose of ratification. The instrument of ratification shall be depos-

ited in the archives of the Pan American Union in Washington, the Union to notify the signatory governments of said deposit. Such notification shall be considered as an exchange of ratifications. This convention shall remain open to the adherence of non-signatory states.

In witness whereof the aforesigned plenipotentiaries sign the present convention in Spanish, English, French, and Portuguese, in the city of Habana, the 20th day of February, 1928.

#### CONVENTION ON THE PAN AMERICAN UNION

Their Excellencies the Presidents of the Republics of Perú, Uruguay, Panamá, Ecuador, Mexico, Salvador, Guatemala, Nicaragua, Bolivia, Venezuela, Colombia, Honduras, Costa Rica, Chile, Brazil, Argentina, Paraguay, Haiti, Dominican Republic, the United States of America and Cuba, through their respective plenipotentiary delegates, have agreed upon the following convention, which shall be signed in the manner provided for in the final article:

The American Republics, whose moral union rests on the juridical equality of the republics of the continent and on the mutual respect of the rights inherent in their complete independence, desirous of promoting efficaciously the increasing conciliation of their economic interests and coördination of their social and intellectual activities, and recognizing that relations between peoples are regulated by law as well as by their legitimate individual and collective interests;

Agree to continue their joint action of coöperation and solidarity by means of periodic meetings of the International Conferences of American States, as well as by means of organs established by virtue of international agreements, and through the Pan American Union which has its seat in Washington and whose organization and functions shall be regulated by the present convention, in the following terms:

#### ARTICLE 1.—*Organs of the Union of the American States*

The Union of the American States strives for the fulfillment of its object through the following organs:

- (a) The International Conference of American States;
- (b) The Pan American Union under the direction of a Governing Board with its seat in the city of Washington;
- (c) Every organ that may be established by virtue of conventions between the American states.

Each state enjoys, as of right, representation at the conferences and on the Governing Board.

#### ARTICLE 2.—*The International Conferences of American States*

The conferences shall meet at periodic intervals. The Governing Board of the Pan American Union shall determine the date on which they shall

meet, provided that in no case shall a longer period than five years elapse between conferences, except in case of *force majeure*.

#### ARTICLE 3.—*Governing Board*

The government of the Pan American Union shall be vested in a Governing Board composed of the representatives that the American governments may appoint. The appointment may devolve upon the diplomatic representatives of the respective countries in Washington.

Besides his own country, a member of the Governing Board may serve as special representative of one or more countries, in which case such representative shall have as many votes as countries represented.

The Board shall elect its Chairman and Vice Chairman annually.

#### ARTICLE 4.—*Executive officers*

The Governing Board shall appoint the following officers:

A Director General, who shall have charge of the administration of the Pan American Union, with power to promote its most ample development in accordance with the terms of this convention, the regulations and the resolutions of the Board, to which body he shall be responsible.

The Director General shall attend, in an advisory capacity, the meetings of the Governing Board, of the committees appointed by the Board, and of the International Conferences of American States for the purpose of giving such information as may be required. The necessary expenses shall be paid out of the funds of the Pan American Union.

An Assistant Director, who shall act as secretary of the Governing Board.

The Director General shall prepare the internal regulations by which the various divisions of the Pan American Union shall be governed, in accordance with the provisions of the present convention, and shall submit them to the Governing Board for approval.

The Director General shall present to the Governing Board annually, at the regular session of the Board in November, a detailed budget for the ensuing fiscal year.

The Director General shall submit to the consideration of each conference of the American Republics a detailed report on the work carried out by the Pan American Union during the period preceding the meeting of the conference.

The Director General shall appoint, with the approval of the Governing Board, the personnel necessary to the work of the Pan American Union, endeavoring as far as possible to distribute the positions among nationals of the countries members of the Union.

#### ARTICLE 5.—*Maintenance of the Pan American Union*

The Governing Board of the Pan American Union shall determine the quota which is to be paid by each of the governments members of the Union

for the maintenance of the Pan American Union. But increases in the budget of the Pan American Union exceeding by more than twenty-five per cent the budget of the preceding year shall be approved by the unanimous vote of the Governing Board, the representatives being given time to consult their respective governments. The quota shall be determined on the basis of the latest official statistics of population in possession of the Pan American Union on the first day of July of each year. The budget shall be communicated to the governments members of the Union before the first day of the ensuing calendar year, with an indication of the quota which each country shall pay, such payments to be made before the first of July of that year.

The Governing Board shall elect from among its members a committee charged with examining, on the dates determined by the Board, the accounts of the expenditures of the Union, in conformity with the provisions established by the regulations and the opinion of three experts to be appointed for the purpose.

#### ARTICLE 6.—*Functions of the Pan American Union*

Both the Governing Board and the Pan American Union shall discharge the duties assigned by this convention subject to the condition that they shall not exercise functions of a political character.

The functions of the Pan American Union are:

1. To compile and distribute information and reports concerning the commercial, industrial, agricultural, social, and educational development as well as the general progress of the American Republics.
2. To compile and classify information referring to the conventions and treaties concluded among the American Republics and between these and other states, as well as to the legislation of the former.
3. To assist in the development of commercial, industrial, agricultural, social, and cultural relations, the study of the problems of labor and the furtherance of a more intimate mutual acquaintance between the American Republics.
4. To act as a Permanent Commission of the International Conferences of American States; to keep their records and archives; to assist in obtaining ratification of the treaties and conventions; to carry out and facilitate the execution of the resolutions adopted by the International Conferences of American States, within the limits of its powers; and to prepare in agreement with the governments the program of the International Conferences of American States, and submit to the conferences a project of regulations.
5. To perform such other functions entrusted to it by the Conference or by the Governing Board, by virtue of the powers conferred upon it by this convention. Whenever a state believes that its vital interests are involved in a question, or that an obligation may thereby be imposed upon it, such

state may require that the resolution of the Board be adopted by unanimous vote.

6. The Governing Board may promote the meeting of international conferences of experts to study problems of a technical character of common interest to the countries members of the Union, and to this end may request the governments to appoint experts to represent them at these conferences, which shall meet at the place and time determined by the Board.

To carry out the purposes for which the institution is organized the Governing Board shall provide for the establishment of such administrative divisions or sections within the Pan American Union as it may deem necessary.

#### *ARTICLE 7.—Deposit and exchange of ratifications*

The instruments of ratification of the treaties, conventions, protocols, and other diplomatic documents signed at the International Conferences of American States shall be deposited at the Pan American Union by the respective representative on the Governing Board, acting in the name of his government, without need of special credentials for the deposit of the ratification. A record of the deposit of the ratification shall be made in a document signed by the representative on the Board of the ratifying country, by the Director General of the Pan American Union, and by the Secretary of the Governing Board.

The Pan American Union shall communicate to all the states members of the Union, through their representatives on the Board, the deposit of the ratification.

#### *ARTICLE 8.—Communication of official documents to the Pan American Union*

The governments of the countries members of the Union shall transmit to the Pan American Union two copies of the official documents and publications which relate to the purposes of the Union, as far as the internal legislation of the respective countries may permit.

#### *ARTICLE 9.—Coöperation between official Pan American organizations*

For the purpose of coöordinating the results of the work of other official Pan American organizations, and of establishing relations of close coöperation between them, the program of work and the development of their activities shall, as far as possible, be the subject of agreement between their directive bodies and the Governing Board of the Pan American Union.

The government's members of the Union which may not have an efficient organ for the study and investigation of Pan American affairs, shall establish a committee composed of persons of experience in such matters, or an office attached to the ministry of foreign affairs entrusted with Pan American affairs.

These committees or offices shall have the following duties:

- (a) To coöperate with their respective governments to obtain ratification of treaties and conventions, and to the carrying out of the agreements adopted by the International Conferences of American States;
- (b) To furnish the Pan American Union promptly with the information it may need in the preparation of its work;
- (c) To present to the Union through the proper channels such projects as they may consider useful to the purposes of the Union.

#### ARTICLE 10

The Governing Board of the Pan American Union shall prepare the regulations and fix the status of the members of the staff, determining their salaries and conditions of retirement.

#### ARTICLE 11

All correspondence and matter transmitted through the mails to the Pan American Union, which bears the frank used by the Union, and all correspondence or matter transmitted by the Pan American Union, shall be carried free of charge by the mails of the American Republics.

#### ARTICLE 12

The contracting states may withdraw from the Pan American Union at any time, but shall pay their respective quotas for the period of the current fiscal year.

#### ARTICLE 13

This convention cannot be modified except in the same manner in which it was adopted.

#### ARTICLE 14

The present convention shall be ratified by the signatory states, and is open to the signature and ratification of the states represented at the Conference that may not have been able to sign.

The President of the Conference, through the Government of the Republic of Cuba, shall send to the governments represented at the Conference an authenticated copy of the present project of convention in order that, if the governments approve, it may receive their adhesion. For this purpose, the governments that adhere to the convention shall authorize their respective diplomatic or special representatives in the city of Habana to sign the convention. All the states having signed, the convention shall be submitted by each government for ratification.

The present convention shall become effective when all the states represented at the Conference receive notice that all the ratifications have been deposited with the Pan American Union, and that the adhesions and ratifications of the twenty-one American Republics have been received.

In witness whereof, the delegates sign and affix their seals to the present convention.

**DECLARATION OF THE DELEGATION OF ARGENTINA**

The Argentine delegation declares, pursuant to express instructions of its Government, that it approves and will sign the project of convention; but that it now wishes to formulate the reservation that it regrets that the economic principles which it upheld in the committee have not been included in this convention.

## OFFICIAL DOCUMENTS

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## OFFICIAL DOCUMENTS

### CONVENTION BETWEEN THE UNITED STATES AND BELGIUM TO PREVENT THE SMUGGLING OF ALCOHOLIC LIQUORS<sup>1</sup>

*Signed at Washington, December 9, 1925; ratifications exchanged,  
January 11, 1928.*

The President of the United States of America and His Majesty the King of the Belgians, being desirous of avoiding any difficulties which might arise between them in connection with the laws in force in the United States on the subject of alcoholic beverages have decided to conclude a convention for that purpose, and have appointed as their plenipotentiaries:

The President of the United States of America: Mr. Frank B. Kellogg, Secretary of State of the United States; and

His Majesty the King of the Belgians: Baron de Cartier de Marchienne, His Majesty's Ambassador Extraordinary and Plenipotentiary to the United States of America,

Who, having communicated their full powers found in good and due form, have agreed as follows:

#### ARTICLE I

The high contracting parties respectively retain their rights and claims, without prejudice by reason of this agreement, with respect to the extent of their territorial jurisdiction.

#### ARTICLE II

(1) His Majesty the King of the Belgians agrees that Belgium will raise no objection to the boarding of private vessels under the Belgian flag outside the limits of territorial waters by the authorities of the United States, its territories or possessions in order that enquiries may be addressed to those on board and an examination be made of the ship's papers for the purpose of ascertaining whether the vessel or those on board are endeavoring to import or have imported alcoholic beverages into the United States, its territories or possessions in violation of the laws there in force. When such enquiries and examination show a reasonable ground for suspicion, a search of the vessel may be effected.

(2) If there is reasonable cause for belief that the vessel has committed or is committing or attempting to commit an offense against the laws of the United States, its territories or possessions prohibiting the importation of alcoholic beverages, the vessel may be seized and taken into a port of the

<sup>1</sup> U. S. Treaty Series, No. 759.

United States, its territories or possessions for adjudication in accordance with such laws.

(3) The rights conferred by this article shall not be exercised at a greater distance from the coast of the United States, its territories or possessions than can be traversed in one hour by the vessel suspected of endeavoring to commit the offense. In cases, however, in which the liquor is intended to be conveyed to the United States, its territories or possessions by a vessel other than the one boarded and searched, it shall be the speed of such other vessel and not the speed of the vessel boarded, which shall determine the distance from the coast at which the right under this article can be exercised.

#### ARTICLE III

No penalty or forfeiture under the laws of the United States shall be applicable or attach to alcoholic liquors or to vessels or persons by reason of the carriage of such liquors, when such liquors are listed as sea stores or cargo destined for a port foreign to the United States, its territories or possessions on board Belgian vessels voyaging to or from ports of the United States, or its territories or possessions or passing through the territorial waters thereof, and such carriage shall be as now provided by law with respect to the transit of such liquors through the Panama Canal, provided that such liquors shall be kept under seal continuously while the vessel on which they are carried remains within said territorial waters and that no part of such liquors shall at any time or place be unladen within the United States, its territories or possessions.

#### ARTICLE IV

Any claim by a Belgian vessel for compensation on the grounds that it has suffered loss or injury through the improper or unreasonable exercise of the rights conferred by Article II of this convention or on the ground that it has not been given the benefit of Article III shall be referred for the joint consideration of two persons, one of whom shall be nominated by each of the high contracting parties.

Effect shall be given to the recommendations contained in any such joint report. If no joint report can be agreed upon, the claim shall be referred to an umpire selected by the two governments; should they fail to agree on the choice of that umpire, it shall be referred to the Permanent Court of Arbitration at The Hague described in the Convention for the Pacific Settlement of International Disputes, concluded at The Hague October 18, 1907. The arbitral tribunal shall be constituted in accordance with Article 87 (Chapter IV) and with Article 59 (Chapter III) of the said convention. The proceedings shall be regulated by so much of Chapter IV of the said convention and of Chapter III thereof (special regard being had for Articles 70 and 74, but excepting Articles 53 and 54) as the tribunal may consider to be applicable and to be consistent with the provisions of this agreement. All sums

of money which may be awarded by the tribunal on account of any claim shall be paid within eighteen months after the date of the final award without interest and without deduction, save as hereafter specified. Each government shall bear its own expenses. The expenses of the tribunal shall be defrayed by a ratable deduction of the amount of the sums awarded by it, at a rate of five per cent. on such sums, or at such lower rate as may be agreed upon between the two governments; the deficiency, if any, shall be defrayed in equal moieties by the two governments.

#### ARTICLE V

This convention shall be subject to ratification and shall remain in force for a period of one year from the date of the exchange of ratifications.

Three months before the expiration of the said period of one year, either of the high contracting parties may give notice of its desire to propose modifications in the terms of the convention.

If such modifications have not been agreed upon before the expiration of the term of one year mentioned above, the convention shall lapse.

If no notice is given on either side of the desire to propose modifications, the convention shall remain in force for another year, and so on automatically, but subject always in respect of each such period of a year to the right on either side to propose as provided above three months before its expiration modifications in the convention, and to the provision that if such modifications are not agreed upon before the close of the period of one year, the convention shall lapse.

#### ARTICLE VI

In the event that either of the high contracting parties shall be prevented either by judicial decision or legislative action from giving full effect to the provisions of the present convention the said convention shall automatically lapse, and, on such lapse or whenever this convention shall cease to be in force, each high contracting party shall enjoy all the rights which it would have possessed had this convention not been concluded.

The present convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty the King of the Belgians in accordance with the constitutional laws of Belgium; and the ratifications shall be exchanged at Washington as soon as possible.

In witness whereof, the respective plenipotentiaries have signed the present convention in duplicate in the English and French languages and have thereunto affixed their seals.

Done at the city of Washington this ninth day of December, one thousand nine hundred and twenty-five.

FRANK B. KELLOGG

[SEAL]

BON DE CARTIER DE MARCHIENNE

[SEAL]

TREATY REGULATING TARIFF RELATIONS BETWEEN THE UNITED STATES AND CHINA<sup>1</sup>

*Signed at Peiping (Peking), July 25, 1928*

The United States of America and the Republic of China, both being animated by an earnest desire to maintain the good relations which happily subsist between the two countries, and wishing to extend and consolidate the commercial intercourse between them, have, for the purpose of negotiating a treaty, designed to facilitate these objects named as their plenipotentiaries the President of the United States of America, J. V. A. MacMurray, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to China and the Government Council of the Nationalist Government of the Republic of China, T. V. Soong, Minister of Finance of the Nationalist Government of the Republic of China, who, having met and duly exchanged their full powers which have been found to be in proper form, have agreed upon the following treaty between the two countries.

## ARTICLE ONE

All provisions which appear in treaties hitherto concluded and in force between the United States of America and China relating to rates of duty on imports and exports of merchandise, drawbacks, transit dues and tonnage dues in China shall be annulled and become inoperative, and the principle of complete national tariff autonomy shall apply, subject, however, to the condition that each of the high contracting parties shall enjoy in the territories of the other with respect to the above specified and any related matters treatment in no way discriminatory as compared with the treatment accorded to any other country.

The nationals of neither of the high contracting parties shall be compelled under any pretext whatever to pay within the territories of the other party any duties, internal charges or taxes upon their importations and exportations other or higher than those paid by nationals of the country or by nationals of any other country.

The above provisions shall become effective on January 1st, 1929, provided that the exchange of ratifications hereinafter provided shall have taken place by that date, otherwise, at a date four months subsequent to such exchange of ratifications.

## ARTICLE TWO

The English and Chinese texts of this treaty have been carefully compared and verified but, in the event of there being a difference of meaning between the two, the sense expressed in the English text shall be held to prevail.

This treaty shall be ratified by the high contracting parties in accordance

<sup>1</sup> State Dept. press notice, July 27, 1928.

with their respective constitutional methods, and the ratifications shall be exchanged as soon as possible.

In testimony whereof, we, the undersigned, by virtue of our respective powers have signed this treaty in duplicate in the English and Chinese languages and have affixed our respective seals.

Done at Peiping the twenty-fifth day of July, 1928, corresponding to the twenty-fifth day of the seventh month of the 17th year of the Republic of China.

(SIGNED) J. V. A. MACMURRAY.  
T. V. SOONG.

#### GENERAL PACT FOR THE RENUNCIATION OF WAR<sup>1</sup>

*Signed in Paris, August 27, 1928*

The President of the German Reich, the President of the United States of America, His Majesty the King of the Belgians, the President of the French Republic, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the seas, Emperor of India, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Poland, the President of the Czechoslovak Republic.

Deeply sensible of their solemn duty to promote the welfare of mankind;

Persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this treaty;

Hopeful that, encouraged by their example, all the other nations of the world will join in this humane endeavor and by adhering to the present treaty as soon as it comes into force bring their peoples within the scope of its beneficent provisions, thus uniting the civilized nations of the world in a common renunciation of war as an instrument of their national policy;

Have decided to conclude a treaty and for that purpose have appointed as their respective plenipotentiaries:

The President of the German Reich: Dr. Gustav Stresemann, Minister for Foreign Affairs;

The President of the United States of America: The Honorable Frank B. Kellogg, Secretary of State;

His Majesty the King of the Belgians: Mr. Paul Hymans, Minister for Foreign Affairs, Minister of State;

<sup>1</sup> Reprinted from text supplied by the Dept. of State, Washington, D.C.

The President of the French Republic: Mr. Aristide Briand, Minister for Foreign Affairs;

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the seas, Emperor of India:

For Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations: The Right Honourable Lord Cushendun, Chancellor of the Duchy of Lancaster, Acting Secretary of State for Foreign Affairs;

For the Dominion of Canada: The Right Honourable William Lyon Mackenzie King, Prime Minister and Minister for External Affairs;

For the Commonwealth of Australia: The Honourable Alexander John McLachlan, Member of the Executive Federal Council;

For the Dominion of New Zealand: The Honourable Sir Christopher James Parr, High Commissioner for New Zealand in Great Britain;

For the Union of South Africa: The Honourable Jacobus Stephanus Smit, High Commissioner for the Union of South Africa in Great Britain;

For the Irish Free State: Mr. William Thomas Cosgrave, President of the Executive Council;

For India: The Right Honourable Lord Cushendun, Chancellor of the Duchy of Lancaster, Acting Secretary of State for Foreign Affairs.

His Majesty the King of Italy: Count Gaetano Manzoni, His Ambassador Extraordinary and Plenipotentiary at Paris;

His Majesty the Emperor of Japan: Count Uchida, Privy Councillor;

The President of the Republic of Poland: Mr. A. Zaleski, Minister for Foreign Affairs;

The President of the Czechoslovak Republic: Dr. Eduard Benes, Minister for Foreign Affairs;

who, having communicated to one another their full powers found in good and due form have agreed upon the following articles:

#### ARTICLE I

The high contracting parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

#### ARTICLE II

The high contracting parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

#### ARTICLE III

The present treaty shall be ratified by the high contracting parties named in the preamble in accordance with their respective constitutional require-

ments, and shall take effect as between them as soon as all their several instruments of ratification shall have been deposited at Washington.

This treaty shall, when it has come into effect as prescribed in the preceding paragraph, remain open as long as may be necessary for adherence by all the other Powers of the world. Every instrument evidencing the adherence of a Power shall be deposited at Washington and the treaty shall immediately upon such deposit become effective as between the Power thus adhering and the other Powers parties hereto.

It shall be the duty of the Government of the United States to furnish each government named in the preamble and every government subsequently adhering to this treaty with a certified copy of the treaty and of every instrument of ratification or adherence. It shall also be the duty of the Government of the United States telegraphically to notify such governments immediately upon the deposit with it of each instrument of ratification or adherence.

In faith whereof the respective Plenipotentiaries have signed this Treaty in the French and English languages both texts having equal force, and hereunto affix their seals.

Done at Paris the twenty-seventh day of August in the year one thousand nine hundred and twenty-eight.

[SEAL]	GUSTAV STRESEMANN.
[SEAL]	FRANK B. KELLOGG.
[SEAL]	PAUL HYMANS.
[SEAL]	ARI BRIAND.
[SEAL]	CUSHENDUN.
[SEAL]	W. L. MACKENZIE KING.
[SEAL]	A. J. McLACHLAN.
[SEAL]	C. J. PARR.
[SEAL]	J. S. SMIT.
[SEAL]	LIAM T. MACCOSGAIR.
[SEAL]	CUSHENDUN.
[SEAL]	G. MANZONI.
[SEAL]	UCHIDA.
[SEAL]	AUGUST ZALESKI.
[SEAL]	DR. EDUARD BENÈS.

NOTE ADDRESSED BY THE GOVERNMENT OF THE UNITED STATES ON AUGUST 27, 1928, TO THE GOVERNMENTS OF ALBANIA, AFGHANISTAN, ARGENTINA, AUSTRIA, BOLIVIA, BRAZIL, BULGARIA, CHILE, CHINA, COLOMBIA, COSTA RICA, CUBA, DENMARK, DOMINICAN REPUBLIC, ECUADOR, EGYPT, ESTONIA, ETHIOPIA, FINLAND, GREECE, GUATEMALA, HAITI, HONDURAS, HUNGARY, ICELAND, LATVIA, LIBERIA, LITHUANIA, LUXEMBURG, MEXICO, NETHERLANDS, NICARAGUA, NORWAY, PANAMA, PARAGUAY, PERSIA, PERU, PORTUGAL, RUMANIA, SALVADOR, KINGDOM OF THE SERBS, CROATS AND SLOVENS, SIAM, SPAIN, SWEDEN, SWITZERLAND, TURKEY, URUGUAY, VENEZUELA.<sup>1</sup>

I have the honor to inform you that the Governments of Germany, the United States of America, Belgium, France, Great Britain, Canada, Australia, New Zealand, Union of South Africa, Irish Free State, India, Italy, Japan, Poland, and Czechoslovakia have this day signed in Paris a treaty binding them to renounce war as an instrument of national policy in their relations with one another and to seek only by pacific means the settlement or solution of all disputes which may arise among them.

This treaty, as Your Excellency is aware, is the outcome of negotiations which commenced on June 20, 1927, when M. Briand, Minister of Foreign Affairs of the French Republic submitted to my government a draft of a pact of perpetual friendship between France and the United States. In the course of the subsequent negotiations this idea was extended so as to include as original signatories of the anti-war treaty not only France and the United States but also Japan, the British Empire and all the governments which participated with France and Great Britain in the Locarno agreements, namely Belgium, Czechoslovakia, Germany, Italy and Poland. This procedure met the point raised by the British Government in its note of May 19, 1928, where it stated that the treaty from its very nature was not one which concerned that government alone, but was one in which that government could not undertake to participate otherwise than jointly and simultaneously with the governments in the Dominions and the Government of India; it also settled satisfactorily the question whether there was any inconsistency between the new treaty and the Treaty of Locarno, thus meeting the observations of the French Government as to the necessity of extending the number of original signatories.

The decision to limit the original signatories to the Powers named above, that is, to the United States, Japan, the parties to the Locarno treaties, the British Dominions and India, was based entirely upon practical considerations. It was the desire of the United States that the negotiations be successfully concluded at the earliest possible moment and that the treaty become operative without the delay that would inevitably result were prior universal acceptance made a condition precedent to its coming into force.

<sup>1</sup> State Department press release August 27, 1928. An invitation to adhere to the Pact was extended to Russia by the Government of France.

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My government felt, moreover, that if these Powers could agree upon a simple renunciation of war as an instrument of national policy there could be no doubt that most, if not all, of the other Powers of the world would find the formula equally acceptable and would hasten to lend their unqualified support to so impressive a movement for the perpetuation of peace. The United States has, however, been anxious from the beginning that no state should feel deprived of an opportunity to participate promptly in the new treaty and thus not only align itself formally and solemnly with this new manifestation of the popular demand for world peace but also avail itself of the identical benefits enjoyed by the original signatories. Accordingly in the draft treaty proposed by it the United States made specific provision for participation in the treaty by any and every Power desiring to identify itself therewith, and this same provision is found in the definitive instrument signed today in Paris. It will also be observed that the Powers signing the treaty have recorded in the preamble their hope that every nation of the world will participate in the treaty, and in that connection I am happy to be able to say that my government has already received from several governments informal indications that they are prepared to do so at the earliest possible moment. This convincing evidence of the world-wide interest and sympathy which the new treaty has evoked is most gratifying to all the governments concerned.

In these circumstances I have the honor formally to communicate to Your Excellency for your consideration and for the approval of your government, if it concurs therein, the text of the above-mentioned treaty as signed today in Paris, omitting only that part of the preamble which names the several plenipotentiaries. The text is as follows:

[See text of treaty as signed, printed *supra*, p. 171]

The provisions regarding ratification and adherence are, as Your Excellency will observe, found in the third and last article. That article provides that the treaty shall take effect as soon as the ratifications of all the Powers named in the preamble shall have been deposited in Washington, and that it shall be open to adherence by all the other Powers of the world, instruments evidencing such adherence to be deposited in Washington also. Any Power desiring to participate in the treaty may thus exercise the right to adhere thereto and my government will be happy to receive at any time appropriate notices of adherence from those governments wishing to contribute to the success of this new movement for world peace by bringing their peoples within its beneficent scope. It will be noted in this connection that the treaty expressly provides that when it has once come into force it shall take effect immediately between an adhering Power and the other parties thereto, and it is therefore clear that any government adhering promptly will fully share in the benefits of the treaty at the very moment it comes into effect.

I shall shortly transmit to Your Excellency's convenient reference a printed pamphlet containing the text in translation of M. Briand's original

proposal to my government of June 20, 1927, and the complete record of the subsequent diplomatic correspondence on the subject of a multilateral treaty for the renunciation of war.<sup>2</sup> I shall also transmit, as soon as received from my government, a certified copy of the signed treaty.

### AGREEMENT RELATING TO AIR NAVIGATION

BETWEEN HIS MAJESTY IN RESPECT OF GREAT BRITAIN AND NORTHERN IRELAND AND THE PRESIDENT OF THE GERMAN REICH, TOGETHER WITH NOTES EXCHANGED<sup>1</sup>

*Signed at Berlin, June 29, 1927; ratifications exchanged, December 1, 1927*

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and the President of the German Reich, desiring to enter into an agreement relating to air navigation between Great Britain and Northern Ireland on the one hand and Germany on the other, have appointed as their plenipotentiaries for this purpose:

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, for Great Britain and Northern Ireland: Joseph Addison, C.M.G., His Majesty's Chargé d'Affaires *ad interim* at Berlin.

The President of the German Reich: Dr. Carl von Schubert, Secretary of State of the Foreign Office,

Who, after having communicated to each other their full powers, found in good and due form, have agreed as follows:

#### ARTICLE 1

Each of the high contracting parties undertakes, in time of peace, to grant liberty of passage above his territory to the aircraft of the other high contracting party, provided that the conditions set forth in the present agreement are observed.

It is however agreed that the establishment and operation of regular air routes by an air transport company of one of the high contracting parties within the territory of the other party or across the said territory (with or without intermediary landing) shall be subject to special formal permission of the competent aviation authorities of the two high contracting parties.

For the purpose of the present agreement the term "territory" means Great Britain and Northern Ireland on the one hand and Germany on the other including in both cases the territorial waters adjacent thereto, and the term "aircraft" means civil aircraft (including state aircraft used exclusively

<sup>2</sup> This pamphlet has been printed by the Government Printing Office, and may be procured from the Superintendent of Documents, Washington, D. C., at ten cents per copy.

<sup>1</sup> British Treaty Series No. 1 (1928).

for commercial purposes) duly registered in the territory of either of the high contracting parties.

#### ARTICLE 2

The aircraft of each of the high contracting parties, their crews and passengers, whilst within the territory of the other high contracting party, shall be subject to the regulations in force therein relating to air traffic in general, to the transport of passengers and goods and to public safety and order in so far as these regulations apply to all foreign aircraft, their crews and passengers, except in so far as they are inconsistent with the provisions of the present agreement. They shall also be subject to the other obligations resulting from the general legislation in force therein, except in so far as they may be inconsistent with the provisions of the present agreement.

It is understood that the subjects or citizens of either of the high contracting parties, and goods the produce or manufacture of their territories, shall, on entering or leaving or passing in transit across the territories of the other, enjoy the privileges accorded to persons and goods by the provisions of the Anglo-German Commercial Treaty of the 2nd December, 1924,<sup>2</sup> and any other instruments governing the commercial relations between the two countries.

Each of the high contracting parties shall permit the import or export of all merchandise which may be legally imported or exported and also the carriage of passengers (subject to any immigration restrictions) from or to their respective territories in the aircraft of the other, and such aircraft, their passengers and cargoes, shall enjoy the same privileges as and shall not be subjected to any other or higher duties or charges than those which their respective aircraft (and their cargoes and passengers) or the aircraft of any other foreign country (and their cargoes and passengers) enjoy or are subjected to.

Each of the high contracting parties may reserve to his own aircraft the commercial transport of persons or goods between any two points which are both within his own territory. Nevertheless the aircraft of the other high contracting party may proceed from one customs aerodrome (as defined in Article 11 of this agreement) to another in the territory of the former, either for the purpose of landing the whole or part of their cargoes or passengers, or of taking on board the whole or part of their cargoes or passengers, provided that such cargoes are covered by through bills of lading and such passengers hold through tickets issued respectively for a journey whose starting place and destination are not both points between which transport has been duly so reserved, and such aircraft, while proceeding as aforesaid from one customs aerodrome to another, shall, notwithstanding that both such customs aerodromes are points between which transport has been duly reserved, enjoy all the privileges of this agreement.

<sup>2</sup> Printed in Supplement to the JOURNAL, July, 1926 (Vol. 20), p. 84.

The fuel carried on board the aircraft of each of the high contracting parties shall be exempt from customs duty, but not fuel delivered from the aircraft within the territory of the other high contracting party or used by the aircraft purely for flights within the said territory.

#### ARTICLE 3

Each of the high contracting parties shall have the right to prohibit air traffic over certain areas of his territory, provided that no distinction in this matter is made between his aircraft and the aircraft of the other high contracting party. The areas above which air traffic is thus prohibited must be notified to the other high contracting party.

Each of the high contracting parties reserves the right under exceptional circumstances in time of peace and with immediate effect temporarily to limit or prohibit air traffic above his territory on condition that in this respect no distinction is made between the aircraft of the other high contracting party and the aircraft of any other foreign state.

#### ARTICLE 4

Any aircraft which finds itself over a prohibited area shall, as soon as it is aware of the fact, give the signal of distress prescribed in the rules of the air in force in the territory flown over and shall land as soon as possible at an aerodrome situated in such territory outside but as near as possible to such prohibited area.

#### ARTICLE 5

All aircraft shall carry clear and visible marks whereby they may be recognized during flight (nationality and registration marks). In addition, they must bear the name and address of the owner.

All aircraft shall be provided with certificates of registration and of airworthiness and with all other documents prescribed for air navigation in the territory in which they are registered.

The members of the crew who perform duties in an aircraft, duties for which a special permit is required in the territory in which such aircraft is registered, shall be provided with all documents and in particular with the certificates and licenses prescribed by the regulations in force in such territory.

The other members of the crew shall carry documents showing their duties in the aircraft, their profession, identity and nationality.

The airworthiness certificate, certificates of competency and licenses issued or rendered valid by one of the high contracting parties in respect of an aircraft registered in his territory or of the crew of such aircraft shall have the same validity in the territory of the other high contracting party as the corresponding documents issued or rendered valid by the latter.

Each of the high contracting parties reserves the right for the purpose of

flight within his own territory to refuse to recognize certificates of competency and licenses issued to nationals of that high contracting party by the other high contracting party.

The crew and the passengers, unless otherwise agreed, shall be provided with the documents required by the regulations in force for international traffic.

#### ARTICLE 6

Aircraft of one of the high contracting parties shall only carry wireless apparatus and use such apparatus in the territory of the other high contracting party in so far as this is permitted in the territory of both high contracting parties.

Such apparatus shall only be used by such members of the crew as are provided with a special license for the purpose issued by the government of the territory in which the aircraft is registered.

The high contracting parties reserve the right, for reasons of safety, to issue regulations relative to the obligatory equipment of aircraft with wireless apparatus.

#### ARTICLE 7

No arms, ammunition, poison gas, explosives, carrier pigeons or cameras shall be carried by any aircraft, or by its crew or passengers, except by permission of the competent authorities of the territory within whose air space the aircraft is navigating.

#### ARTICLE 8

All aircraft carrying passengers and goods shall be provided with a list of the passengers' names, a manifest of the goods showing the nature and quantity of the goods, together with the necessary customs declarations.

If on arrival of any aircraft any discrepancy is noted between the goods carried and the manifest, the customs officials at the arrival aerodrome shall at once communicate with the competent customs officials of the other high contracting party.

The conveyance of mails shall be the subject of a special direct arrangement between the postal departments of the high contracting parties.

#### ARTICLE 9

Upon the departure or landing of any aircraft each high contracting party within his own territory and through his competent authorities may search the aircraft of the other high contracting party and examine the certificates and other documents prescribed.

#### ARTICLE 10

Every aerodrome open to public air traffic in the territory of one of the high contracting parties shall be open to all aircraft of the other high con-

tracting party, which shall also be entitled to the assistance of the meteorological services, the wireless services, the lighting services and the day and night signalling services. Any scale of charges made (landing charge, accommodation, &c.) shall be the same for the aircraft of both high contracting parties.

#### ARTICLE 11

All aircraft entering or leaving the territory of either of the high contracting parties shall land at or depart from an aerodrome open to public air traffic and classed as a customs aerodrome at which facilities exist for examination of passports, and no intermediary landing shall be effected between the frontier and the aerodrome. In special cases the competent authorities may allow aircraft to land at or depart from other aerodromes, at which customs and passport facilities have been arranged. The above prohibition of any intermediary landing applies also in such cases.

In the event of a forced landing outside the aerodromes referred to above, the pilot of the aircraft, its crew and the passengers shall conform to the customs and passport regulations in force in the territory in which the landing has been made.

The high contracting parties shall exchange lists of the aerodromes open to public air traffic. This list shall expressly state the aerodromes classed as customs aerodromes. Any modification of this list and any restriction, even temporary, of the right to use any of these aerodromes shall be notified to the other high contracting party without delay.

#### ARTICLE 12

Each of the high contracting parties reserves the right to require that all aircraft crossing the frontiers of his territory shall do so between certain points. Subject to the notification of any such requirements by one high contracting party to the other, the frontiers of the territories of the high contracting parties may be crossed at any point.

#### ARTICLE 13

As ballast, only fine sand or water may be dropped from an aircraft.

#### ARTICLE 14

No article or substance, other than ballast, may be unloaded or otherwise discharged in the course of flight unless special permission for such purpose shall have been given by the authorities of the territory in which such unloading or discharge takes place.

#### ARTICLE 15

Whenever questions of nationality arise in carrying out the present agreement, it is agreed that every aircraft shall be deemed to possess the nationality of the high contracting party in whose territory it is duly registered.

No aircraft shall be registered in the territory of either of the high contracting parties unless it is owned entirely by nationals of the high contracting party in whose territory registration is desired. If the owner is a company or other corporation, such company or corporation must fulfil all the requirements prescribed by British or German law respectively for the incorporation of British or German companies or other corporations.

#### ARTICLE 16

The high contracting parties shall exchange, monthly, lists of the entries and deletions made in their aircraft registers during the preceding month.

#### ARTICLE 17

Aircraft of either of the high contracting parties passing through the territory of the other high contracting party and during such landings and stoppages as are reasonably necessary for the purpose of such transit shall be exempt from any seizure on the ground of infringement of patent, design or model, subject to the deposit of security, the amount of which in default of amicable agreement shall be fixed with the least possible delay by the competent authorities of such territory.

#### ARTICLE 18

The aircraft of one of the high contracting parties shall be entitled when landing in the territory of the other, especially in the case of a forced landing, to the same assistance as the aircraft of the latter.

With regard to the salvage of aircraft wrecked at sea, save in so far as the high contracting parties by agreement shall otherwise provide, the principles of maritime law resulting from the international agreements in force shall apply.

#### ARTICLE 19

The high contracting parties shall communicate to each other the regulations relative to air traffic in force in their respective territories.

#### ARTICLE 20

The details of the application of the present agreement (especially the question of customs formalities) shall, as far as possible, be settled direct by arrangement between the various competent departments of the two high contracting parties.

The two high contracting parties agree in principle that any dispute that may arise between them as to the proper interpretation or application of any of the provisions of the present agreement shall, at the request of either party, be referred to arbitration.

The court of arbitration to which disputes shall be referred shall be the Permanent Court of International Justice at The Hague, unless in any particular case the two high contracting parties agree otherwise.

## ARTICLE 21

The present agreement may be denounced by either of the high contracting parties at any time by giving twelve months' notice.

## ARTICLE 22

The present agreement shall be ratified, and the instruments of ratification shall be exchanged in Berlin, as soon as possible. This agreement shall come into force on the day on which the instruments of ratification are exchanged.

In faith whereof the respective plenipotentiaries have signed the present agreement and have affixed thereto their seals.

Done at Berlin, in duplicate in the English and German languages, which are equally authentic, the 29th June, 1927.

(L.S.) (Sd.) JOSEPH ADDISON.

(L.S.) (Sd.) DR. CARL VON SCHUBERT.

(1)

*Mr. Addison to Herr von Schubert*

BRITISH EMBASSY, BERLIN

June 29, 1927

Your Excellency,

With respect to the signature to-day of the Agreement relative to Air Traffic between Germany, on the one hand, and Great Britain and Northern Ireland, on the other hand, I have the honor to confirm to Your Excellency that our two governments are agreed upon the following points:

1. With respect to aviation in the occupied territories of the Rhineland, it is understood that the agreement shall not affect the powers conferred upon the Inter-Allied Rhineland High Commission in virtue of Article 3 of the Rhineland Agreement of the 28th June, 1919, and in pursuance of the agreement drawn up between the Conference of Ambassadors and the German Government on the 22nd May, 1926, with respect to the future regulation of aviation in the occupied territories.

2. Prior to the ratification of the above-mentioned agreement, occasional flights by aircraft duly registered in one of the contracting states are permitted over the territory of the other contracting state in accordance with the stipulations of the present agreement without application for a special authorisation.

I avail, &c.

JOSEPH ADDISON.

(2)

*Herr von Schubert to Mr. Addison*

(Translation)

MINISTRY OF FOREIGN AFFAIRS

Berlin, June 29, 1927

Mr. Chargé d'Affaires,

With respect to the signature to-day of the Agreement relative to Air Traffic between Great Britain and Northern Ireland, on the one hand, and Germany, on the other hand, I have the honor to confirm to you that our two governments are agreed upon the following points:

1. With respect to aviation in the occupied territories of the Rhineland, it is understood that the agreement shall not affect the powers conferred upon the Inter-Allied Rhineland High Commission in virtue of Article 3 of the Rhineland Agreement of the 28th June, 1919, and in pursuance of the agreement drawn up between the Conference of Ambassadors and the German Government on the 22nd May, 1926, with respect to the future regulation of aviation in the occupied territories.

2. Prior to the ratification of the above-mentioned agreement occasional flights by aircraft duly registered in one of the contracting states are permitted over the territory of the other contracting state in accordance with the stipulations of the present agreement without application for a special authorisation.

I avail, &amp;c.

DR. C. VON SCHUBERT.

## EXECUTIVE ORDER

[No. 4943]

The Consular Regulations are hereby amended as follows:

The Introduction to the Regulations is amended to read:

## ORIGIN OF CONSULAR JURISDICTION

Early in the history of commerce it became necessary for commercial States to establish a jurisdiction over seamen, vessels, and merchandise. And as the operations of commerce in foreign ports might involve national interests, as well as the individual interests of merchants and seamen, it became equally necessary that this jurisdiction should be exercised by a national agent. Hence we find among the commercial States of antiquity commercial magistrates with functions similar to those vested in the consuls of modern times, though much more extensive.

When the title of 'Consul' ceased to distinguish the executive magistrate

of Rome, and after having been borne by some of the emperors (at Rome and Byzants) as well as some of the kings and princes of the West, it was conferred upon counts and lords acting as judges and law administrators, notably upon governors of the city-states of Italy, France and Spain and particularly upon such municipal magistrates as were charged with the control of trade and navigation. These "consuls de mer" or "consuls des marchands", who appear to have been elected in Pisa, Amalfi, Messina and other Mediterranean marts during the eleventh and twelfth centuries for the purpose of adjudicating commercial and maritime disputes may be described, it is thought, as domestic officials especially entrusted with the enforcement of the laws of the sea in accordance with international codes then in the process of development. Their functions, however, foreshadowed the creation of a foreign service which in time ensued. A further approach towards the foundation of the later consular institution, as now understood, was the custom under which some nations allowed merchants going abroad on a trading expedition or organizing and launching such an enterprise to select among themselves a consul (*consul de navire*) who would manage the cruise and settle all controversies on board ship or in the foreign ports until the termination of the voyage. By the beginning of the twelfth century international commerce had developed sufficiently to require the protecting and restraining arm of official representatives of the several nations respectively residing in colonies established in foreign lands. The first consuls à l'étranger are believed to have originated with the Italian city republics simultaneously with the earlier Crusades.

During the Middle Ages consuls were quasi public ministers, who watched over the interests of their countrymen, deciding their disputes, protecting their commerce, and exercising large judicial and commercial powers, independent of the local law.<sup>1</sup> But when public ministers, in name and in fact, came to be established, consuls (except in oriental countries, where their powers are dependent upon treaty, as we shall hereafter see) were shorn of much of their dignity and privileges. They are now, for the most part, commercial agents, and have no representative character. Both in civil and criminal cases they are subject to the laws of the countries in which they reside equally with all other persons. If exceptional privileges are claimed, it must be by virtue of treaty stipulations, local customs, or local law. Any judicial powers which may be vested in the consuls accredited to any particular country must be ascertained by an examination of the treaty stipulations with such country and the laws of the State from which the consuls derive their appointment.<sup>2</sup>

Paragraph 26 is established as follows:

26. *Neglect of duty or misconduct.*—Whenever any consular officer willfully neglects or omits to perform seasonably any duty imposed upon him by law,

<sup>1</sup> Pomeroy's International Law.

<sup>2</sup> Dainese v. Hale, 91 U. S. Rep., 13.

or by any order or instruction made or given in pursuance of law, or is guilty of any willful malfeasance or abuse of power, or of any corrupt conduct in his office, he shall be liable to all persons injured by any such neglect, or omission, malfeasance, abuse, or corrupt conduct, for all damages occasioned thereby; and for all such damages, he and his sureties upon his official bond shall be responsible thereon to the full amount of the penalty thereof, to be sued in the name of the United States for the use of the person injured. Such suit, however, shall in no case prejudice, but shall be held in entire subordination to the interests, claims, and demands of the United States, as against any officer, under such bond, for every willful act of malfeasance or corrupt conduct in his office.—R. S. 1735; U. S. C. Title 22, sec. 103).

Paragraph 118 is amended to read as follows:

118. *With whom direct correspondence is permitted.*—As exceptions to the general rule stated in paragraph 114, a consular officer may correspond directly on public matters with the following:

1. American officials stationed or temporarily residing in foreign countries, and officials of insular possessions of the United States.
2. The Comptroller General of the United States, on matters pertaining to accounts only, *the correspondence to be invariably forwarded through the Department.*
3. Collectors of customs and appraisers, on matters relating to invoices and prices current.
4. Immigration inspectors, on urgent immigration matters.
5. The Commissioner of Pensions, on routine pension matters.
6. United States despatch agents.
7. Officials of the Treasury Department charged with the prevention of smuggling, on urgent matters involving attempts to smuggle merchandise into the United States.
8. United States Attorneys, on urgent cases in connection with pending trials.
9. The Director of the Veterans' Bureau on routine matters relating to Bureau activities (except telegrams, which must be transmitted through the Department of State).

Paragraphs 255, 256, 257 and 258 are canceled and the following substituted:

225. *Duty of consular officer, in case of death of seaman.* (a) *Seamen who die on board ship.* When any seaman or apprentice belonging to or sent home on any merchant vessel employed on a voyage which is to terminate in the United States dies during such voyage, the master should take charge of all monies, clothes, and effects which he leaves on board; and if the ship touches or remains at a foreign port before coming to any port of the United States, it is his duty to report the case to the consular officer there, and to give such officer any information he requires as to the destination of the ship and the length of the voyage. Thereupon such officer may, if he considers it ex-

pedient to do so, require the said effects, money, and wages to be delivered and paid to him, and upon that being done he shall give the master a receipt therefor. (Form No. 85.) The consular officer shall also indorse and certify upon the agreement with the crew the particulars of such delivery and payment. In case he does not require the delivery and payment, it is his duty to obtain from the master a statement of the seaman's account with the vessel and transmit a copy thereof to the Department of State. If the ship is sold in a foreign port and the master has in his hands the effects, money, and wages of a deceased seaman, the consular officer may require them to be delivered to him.—R. S., 4538, 4539, 4541; U. S. C. Title 46, secs. 621, 622, 624.

(b) *Seamen who die on shore abroad.* Whenever any such seaman or apprentice dies at any place outside of the United States, leaving any money or effects not on board his vessel, the consular officer of the United States at or nearest the place shall claim or take charge of such money and effects.—R. S. 4541; U. S. C. Title 46, sec. 624.

256. *Disposition of effects by consular officer.* (a) *Effects may be sold.*—The consular officer shall, if he thinks fit, sell all or any of such effects or any effects of any seaman or apprentice as may be delivered to him or otherwise come into his hands under the provisions of the law.—R. S., 4541; U. S. C. Title 46, sec. 624.

(b) *Proceeds of sale, effects and other monies to be sent to district court.*—In the event such effects are sold the consul shall quarterly remit to the district court for the district embracing the port from which such vessel sailed, or the port where the voyage terminates, all monies belonging to or arising from the sale of the effects or paid as the wages of any deceased seaman or apprentice which have come into his hands (Form No. 86) and shall render such accounts thereof as the district court requires.—R. S., 4541; U. S. C. Title 46, sec. 624.

The effects of deceased seamen or apprentices not sold and all wages or monies coming into the possession of a consular officer under any of the foregoing provisions shall likewise be remitted to the district court for its administration. Funds should preferably be transmitted by bank draft or check and effects should be forwarded by the safest and most expeditious means available under the seal of the consulate, every practicable effort being taken to insure their safe arrival.

257. *Correspondence and accounting.* (a) *Report of death.*—The death of an American seaman should be reported to the Department promptly when knowledge thereof reaches the consular officer. If the seaman was an American citizen, Form No. 192, Report of Death of American Citizen, should be submitted to the Department with a covering despatch, in triplicate, for official use. In case the consular officer is relying upon the Department to communicate the intelligence of the death to persons privately interested, a sufficient number of extra copies of the despatch and report should be provided for the purpose.

The consular officer will when practicable communicate intelligence of the seaman's death to the next of kin, or other interested persons, sending all available and proper information, including the form report, and noting his action appropriately on the form report submitted to the Department.

In submitting reports on the death of seamen who are not American citizens, Form No. 192 should obviously not be used, but the information called for should be ascertained in all cases and should be forwarded in the form of despatches.

(b) *Accounting to district court.*—Consular officers are required, in rendering the accounts provided for by law, to make a statement of details, such as is required of the master of the vessel by sections 4538-4539 of the Revised Statutes (U. S. C. Title 46, secs. 621, 622), namely: (1) A statement of the amount of money left by the deceased and any of his effects unsold; (2) a description of each article sold, and the sum received for each; (3) the sum due the deceased for wages, with dates, and the items of deduction, if any, to be made therefrom—no such deductions being allowed to the master unless verified by an entry in the official log book, if there be any.

They are directed also to require the master to give full particulars of the wages account of the seaman, including the date of shipment, rate of wages, and time of discharge, and of any deductions therefrom, to be verified by the entry in the official log; such account to be verified before the consul by the master, and a certified copy thereof to be sent with the account to the district court.

(c) *Report of accounting for Department.*—Consuls will send a copy of the accounts submitted to the court to the Department of State for its information. When the case is immediately disposed of, this enclosure may accompany the report of death, but it should always be forwarded with a covering despatch. When from the nature of the correspondence it is evident that the Department will require additional copies for transmission to interested divisions of the Government or to private persons, extra copies in appropriate number should be provided.

(d) *Correspondence regarding effects with next of kin or claimants to the estate.*—Consuls will correspond direct with relatives or other connections of deceased seamen, informing them of the location of the district court to which the wages and effects are to be or have been transmitted, the date and manner of shipment, and the approximate date of arrival, and advising them that for further information in regard thereto correspondence may be had direct with the court. The Department as well as the district court should be informed when this action is taken.

In the event that names and addresses of relatives or other interested persons can not be ascertained, the consul will so inform the district court and the Department.

258. *Effects of Foreign seamen.* If the deceased seaman was a foreigner and was shipped in a foreign port, and the wages and effects are delivered to

the consular officer, the latter should make proper inquiries to find the relatives of the deceased and may determine for himself to whom the wages and effects should be given. If no relatives are found or the officer can not satisfactorily determine the relatives entitled to the wages and money arising from the sale of the effects they should be remitted to the district court as above provided for.

Paragraph 290 is canceled and the following substituted:

290. *Transportation of Shipwrecked Seamen*.—When American seamen, whether transported from a port or place where there is no consular officer or picked up at sea, are landed at a consulate of the United States, the consular officer is authorized to pay the master of the vessel in which they are transported a reasonable compensation for the service, not exceeding 60 cents per day for each seaman, and to include the same in his account for relief of seamen, forwarding a proper voucher therewith and furnishing satisfactory explanations as to the case. The names of the seamen and the names of the vessels to which they last belonged must be given, and also the number of days occupied in their transportation. (Form No. 84). When consular officers are convinced that the payments authorized by this paragraph do not compensate the rescuing vessel for the actual losses sustained in making the rescue, they may forward to the Secretary of State an itemized claim for the amount of such actual losses, submitted by the master of the vessel on Standard Voucher Form No. 1034; such claims must be accompanied by a report from the appropriate consular officer stating his recommendations regarding payment, and if accorded the administrative approval of the Secretary of State, will be submitted to the Comptroller General of the United States for consideration under the provisions of the Act of April 10, 1928, Public—No. 247 (45, Stat. L.,).

Paragraphs 437 and 438 are canceled and the following substituted:

437. *Correspondence with the central governments of foreign countries*.—Consular officers ordinarily have no diplomatic position, and must not assume such unless specially instructed by the Department of State, or unless they are regularly presented in that capacity by a diplomatic representative of the United States on his leaving his post. They therefore can not ordinarily correspond directly with the government of the country in which they reside.

*In absence of diplomatic representative*.—In the absence, however, of a diplomatic representative, cases may arise in which a consul may be required to correspond directly with the government. All such correspondence, as well as all correspondence with the local authorities and with their colleagues, should be conducted in a courteous and dignified manner.

Paragraph 438 is established as follows:

438. *Social relations*.—Consular officers will endeavor to cultivate friendly social relations with the community in which they reside, and will refrain from expressing harsh or disagreeable opinions upon the local, political, or

other questions which divide the community within their jurisdiction. They are forbidden to participate in any manner in the political concerns of the country. In their despatches upon such subjects they will confine themselves to the communication of important or interesting public events as they occur, avoiding all unnecessary reflections upon the character or conduct of individuals or governments.

Paragraph 439 is canceled and the following substituted:

439. *Political Reports.* Consular officers should at all times bear in mind their responsibility in the matter of political reporting. Although certain offices have very great importance and others less, as sources of political information, all officers should nevertheless watch the course of events in their districts with a view to reporting all information of a political nature likely to be of value. Political reports should be limited in length and number to the requirements of the situation at each post; they should be concise; and, in so far as conditions permit, authoritative. Under current instructions, in some instances, such reports are made to the mission or higher consular office; in others, to the Department.

In Paragraph 443 whenever the words "Secretary of the Interior" occur the words "Secretary of Commerce" are substituted.

Paragraph 451 is canceled and the following two Paragraphs substituted:

451. *Presents and testimonials.*—Consular officers are forbidden by law to ask or accept, for themselves or any other persons, any present, emolument, pecuniary favor, office, or title of any kind from any foreign government. This statute is substantially the provision of the Constitution in this respect. If consular officers are tendered presents, orders, or other testimonials in acknowledgment of services rendered to the citizens or the governments of foreign states, they may apply to Congress through the Department of State for permission to accept the same.—U. S. Const., Art. I, Sec. 9, cl. 8; U. S. C. title 22, sec. 126.

451½.—*Appointment as fiduciary.*—No consular officer shall accept an appointment to office from any foreign State as administrator, guardian, or in any other fiduciary capacity for the settlement or conservation of the estates of deceased persons or of their heirs or of other persons under legal disabilities without having been previously authorized by the Secretary of State so to do.—E. O. Mar. 24, 1902.

Paragraph 458 is hereby established as follows:

458. *Catastrophes.*—Whenever any great catastrophe (such as the sinking of a steamer or an earthquake) happens abroad, consular officers are instructed to inform the Department immediately of the names of any Americans who have been killed or injured, and also of the names of any who have been saved, or who are in the neighborhood and who are known to be safe.

Paragraph 465 is canceled.

Paragraph 469 is amended to read as follows:

469. *Applications for leave of absence.*—Every application for leave of ab-

sence must contain a statement of the number of days the consul has been absent from his post during the previous calendar year, referring by number and date to the instruction granting such leave. Every such application must state specifically whether the applicant wishes to come to the United States. (Paragraph 467).

Leaves of absence are not cumulative. In case of leave not being asked or granted in any one calendar year, the term for which such leave might have been granted can not be added to the leave of a subsequent year.

Paragraph 473 is amended to read as follows:

473. *Leave of absence of clerks.*—A clerk in a consular office may, in the discretion of the principal officer, if the work of the office permits, be granted leave with pay to the extent and in the manner provided for consular officers. In granting leave to clerks and subordinate employees principal officers will bear in mind that leave must not be granted when the absence of the clerk will interfere with the transaction of the business of the office and that the absence of members of the staff preferably should be so arranged that the work can be carried on without additional assistance. Consular officers in charge of posts will endeavor, so far as may be consistent with the proper transaction of the business of their offices, to grant all or part of the leave specified, in order that clerks and employees may have reasonable opportunity for rest and recreation.

Paragraph 476 is hereby established as follows:

476. *Publications of interest to Government institutions.*—Consular officers should uniformly endeavor to obtain publications whether of a scientific, historical, economic or commercial nature issued in their districts, by any and all governmental or private institutions, which may be of interest to any branch of the American Government or private American interests. When such a publication can not be obtained free of charge, and when it may appear to be of sufficient importance, the institution likely to be interested may be informed of the availability and cost of the publication.

Consular officers should also forward for the Department of State or for such institutions, Government or private, as have been mentioned, such copies of national or local laws, rules, regulations, orders, decrees, et cetera, as it is thought may be of interest in the United States.

Paragraph 477 is established as follows:

477.—*Consular officers to act for Veterans' Bureau.* The Director of the United States Veterans' Bureau is authorized, at the direction of the President, or with the approval of the head of the Department concerned, to utilize, in addition to the facilities of the Bureau, such other governmental facilities as may be made available to provide for the proper examination, medical care, treatment, hospitalization, dispensary, and convalescent care, necessary and reasonable after care, welfare of, nursing, vocational training, and such other services as may be necessary for carrying out these purposes, for the performance of which the said Director is made responsible by stat-

ute, subject to the general directions of the President.—43 Stat. L. 610; U. S. C. title 38, Sec. 434. Consular officers of the United States will therefore promptly and carefully perform any of the above duties delegated to them in their respective districts by instructions issued by or transmitted through the Department of State; they are also charged with the general supervision of Veterans' Bureau activities within their districts and in the absence of special instructions shall promptly submit reports of information received regarding such activities which may assist the Veterans' Bureau to discharge efficiently its responsibility to its beneficiaries who reside in foreign countries.

Paragraph 479 is renumbered to 478.

A new Paragraph, to be numbered 479 is established as follows:

479.—*Legal services for private persons.* Consular officers are frequently asked by their countrymen at home to examine titles, or do other services for them in a foreign land. It is sometimes even assumed that the parties making the requests have a right to such services. Consular officers will treat all such requests courteously, and if they are unable to comply, will state the reasons clearly but unoffensively.

Consular officers are forbidden to enter into agreements with attorneys in their districts respecting the performance of legal services for persons applying to the consulate therefor. In appropriate cases they may furnish applicants with the names of such local attorneys as they believe to be trustworthy and capable of rendering the legal services the applicant has in view. Lists of this kind should be arranged alphabetically.

When persons residing or travelling in a consular district desire to have the name of an attorney in the United States, the consular officer may refer them to such lists of attorneys as are at his disposal, but may not make recommendations as to particular attorneys.

Paragraph 480 is established as follows:

480.—*When legal process may not be served.* There is no authorization in the Consular Regulations nor is there any item in the Tariff of United States Consular Fees requiring consular officers or employees to serve legal process such as subpoenas, citations, and complaints, in connection with questions pending in Federal and State courts in the United States. An exception is made only for the service of certain process issuing out of Federal courts at the desire of the Attorney General or Assistant or District Attorneys acting under him.

Consular officers are expected to make prompt and courteous responses to all inquiries relating to the serving of process or documents of that nature, and they should make such suggestions as they properly can to assist interested persons. They may properly give a list of names of several reputable attorneys or other persons who are in a position to perform the required service, with the statement that they can not assume responsibility for the ability or integrity of anyone who may be selected as the result of information fur-

nished by them. Affidavits showing performance by other persons of such a service as that herein referred to may, of course, be made before the consular officer, fee No. 31 of the Tariff of United States Consular Fees being charged. Consular officers may also, under item 38, certify to the official character of any foreign notary or other official in connection with the performance of such service.

481. *When legal process may be served.—Fraudulent Naturalization.* In connection with cases before United States courts relating to fraudulent naturalization, attention is directed to Section 15, Paragraph 2, of the Naturalization Act of June 29, 1906 (U. S. C. title 8, sec. 405) by which consular officers are required to render assistance in the cancellation of certificates of naturalization fraudulently procured. In view of this provision of law consular officers may properly assist in the delivery to designated persons of documents forwarded to them by duly authorized officials of United States courts, and in such cases delivery may be made, where deemed advisable, by a member of the consular staff.

*Contempts.* An Act approved July 3, 1926, entitled, "An Act Relating to Contempts", provides for the service by American consuls of subpoenas issued by courts of the United States in certain cases where letters rogatory may be issued by such courts for the purpose of taking the testimony of witnesses, citizens of the United States, or domiciled therein but temporarily residing abroad, or whenever the attendance at the trial of any criminal action of a witness, being a citizen of the United States or domiciled therein, and who is beyond the jurisdiction of the United States is desired by the Attorney General, or any assistant or district attorney acting under him.

Paragraph 486 is canceled and the following substituted:

486. *Record of notarial and other services.*—Each notarial act, oath, affidavit, affirmation, deposition, authentication, known as unofficial or personal, whether feed or gratis, shall be completely and truly recorded in the Record of Fees Book, chronologically entered together with all other services such as certification of invoices, landing certificates, bills of health, etc., and showing the fees charged, collected, or accepted therefor.

Paragraph 488 is amended to read as follows:

488. *Verification of powers to transfer notes and bonds of the United States.*—Powers of attorney for the transfer of any note or bond of the Government of the United States, or for the receipt of interest thereon, shall be executed in a foreign country before an American consular officer or, if executed before a foreign official having power to administer oaths, the signature of such official shall be authenticated by an American consular officer.

Paragraph 521 section (c) is amended to read as follows:

(c) *Oaths, acknowledgments, and certificates of competency of local officials in connection with business with the government.* Consular officers are not permitted to make a charge for administering oaths required to be made by pensioners and their witnesses in executing their vouchers for their pensions

(25 Stat. L. 782), or by persons presenting claims for pensions or increase of pensions, or claims for insurance allowances or allotments, in certifying to the competency of a local official before whom said papers were executed, or for other services in relation thereto; or for acknowledgments connected with the assignment or transfer of United States bonds, or of powers of attorney therefor or to collect interest thereon; or for any and all services in connection with the execution of tax returns including federal, state, territorial, municipal, and insular returns.

Any services which American consular officers shall be called upon to perform under items 31, 33, 38, 39, 40, 42, and 43 of the Tariff of the United States Consular Fees, for the use of any person in the collection of claims from the United States, or in connection with any claim or application for service from the United States Veterans' Bureau, or from any State for compensation, pensions, back pay, bounty, bonus, or for property loss in the service of the United States shall be rendered free of charge.

In Paragraph 533, Tariff of Fees, the following amendments and additions are made:

Items 1, 3, 5 and 6 to read as follows, in accordance with the Executive Order of March 17, 1927, No. 4615:

1. Certification of invoice in such number of copies as will meet the requirements of the regulations and instructions and provide the shipper with one copy (in addition to duplicate for his own use, including any additional declaration or certificate not otherwise provided for which is required by law or regulations for use in connection with the entry of the wares or the forwarding of the same in bond) . . . . .	\$2.50
3. Certificates and declarations as above described, when issued for a shipment not covered by a consular invoice, including declaration of foreign shipper of articles exported for exhibition and returned (Form 204) and immigrant's oath regarding teams and vehicles (Form 128), but excluding certificate for food and drug products of insecticides (Forms 197 and 217). . . . .	1.00
5. Certificate of disinfection in such number of copies as will meet the requirements of the regulations and instructions and provide the shipper with one copy for his own use . . . . .	2.50
6. Discontinued.	
Item 35 to read as follows:	
35. Acknowledgments and authentications connected with the assignment or transfer of United States bonds or of powers of attorney therefor or to collect interest thereon . . . . .	No fee
Item 41 is established as follows:	
41. For certifying to the correctness of a copy of, or extract from, any document, official or private . . . . .	2.00
Each copy certified is to be considered an original, and a fee charged for the certification.	

Item 42, explanatory text, to read as follows, in accordance with the Executive Order of August 8, 1927, No. 4701:

42. In connection with any service rendered outside of the consular office at the request of private individuals, the exact amount of the expenses actually and necessarily incurred by the person rendering the service shall be collected from the persons for whom the service is performed in addition to the fee or fees prescribed therefor, but no amount in excess of the fee or fees prescribed and such actual and necessary expenses shall be charged or accepted.

Item 45 to read as follows:

45. Any and all services in connection with the execution of tax returns, federal, state, territorial, municipal and insular . . . No fee

Item 51 to read as follows:

51. Any and all services performed for American citizens while outside the United States in preparation of ballots to be used in any primary, general, or other public elections in the United States, its territories, or possessions, whether federal, state, territorial, county, town, or municipal. . . . No fee

The note to the Tariff of Fees concerning the services to be rendered free of charge is amended to read as follows:

Services performed under the foregoing tariff shall be rendered free of charge when performed: (a) in connection with the settlement of the estate of any employee of the United States dying abroad while on official duty; (b) for the use of any person in the collection of claims from the United States or from any State for compensation, pensions, back pay, bounty, bonus, property loss in the service of the United States; (c) for obtaining the return of property held by the Alien Property Custodian; for (d) the official use of the United States Veterans' Bureau.

Paragraph 538 is canceled.

Paragraph 540 is amended by striking out the words "and when the value quoted in the Secretary of the Treasury's quarterly proclamation of the value of foreign coins is not used in the reduction of the payments to the currency of the United States" and the words "or the standard money of the country in which the transaction occurred."

Paragraph 547 is amended to read as follows:

547. *Clerk hire.*—The account for allowance for clerks in a consular office is to be transmitted by the officer in charge to the Department of State accompanying his account current at the end of each quarter or period to which it relates. It must be accompanied by the receipt of each person employed as clerk, certified by the officer.

Whoever, being charged with the payment of any appropriation made by Congress, pays to any clerk or other employee of the United States a sum less than that provided by law, and requires such employee to receipt or give a voucher for an amount greater than that actually paid to and received by him, is guilty of embezzlement, and shall be fined in double the amount so withheld from any employee of the Government and imprisoned not more than two years.—35 Stat. L. 1105 (U. S. C. title 18, sec. 172).

Other sections of the Criminal Code prohibit under penalty of fine and imprisonment the fraudulent execution, possession, transmission, or submission to the Government of the United States, or to any officer thereof, of any false document for the purpose of defrauding the United States.—35 Stat. L. 1094, 1095; U. S. Code, title 18, secs. 72-75.

Paragraphs 552, 553 and 554, are amended to read as follows:

552. *Accounts relating to seamen.*—The returns to be made under this general account are: (1) Schedule of disbursements, relief of seamen (Form No. 94), accompanied by a statement of relief of seamen (Form No. 94a); (2) Detailed list of seamen discharged, shipped, deserted and deceased (Form No. 124). These returns are to be rendered quarterly to the Department of State or whenever the consul in charge renders accounts provided there are transactions to report. Attention is directed to Article XV herein for information as to the items to be embraced in the account for the relief of seamen and the vouchers to sustain them. (See also paragraphs 224 and 292.)

553. *Schedule of disbursements and statement of relief of seamen.*—The schedule of disbursements for relief of seamen (Form No. 94) is clearly explained by its title and by the statements and references in Paragraph 552. The form entitled "Statement of Relief of Seamen" (Form No. 94a) is a report concerning each case of seamen's relief, four cases to each sheet, and supplies information needed in the audit of the relief items in the schedule of disbursements; the information called for in the footnote to the form should always be included when applicable to the case and its omission will be regarded as a sufficient reason for the suspension of pertinent disbursements.

554. *Detailed list of seamen discharged, shipped, deserted and deceased.*—This return (Form No. 124) is clearly explained by its title. Consular officers are required by section 7 of the Act of June 26, 1884, to collect all arrears of wages due to seamen at the time of their discharge.—23 Stat. L. 55: U. S. C. Title 46, Sec. 683. All amounts of wages which appear in this return as received by consular officers must be covered by the seamen's receipts for wages (Form No. 164, 164a), or by evidence of other lawful disposition thereof.

Paragraph 558 is amended to read as follows:

558. *Salary account and certificate as to absence.*—The salary accounts of Foreign Service officers must be rendered quarterly, except when an officer's detail or assignment is altered by orders or by his going away on leave of absence.

Foreign Service officers are authorized to pay themselves from the fees they may collect as consular officers, if these are sufficient; if not, drafts may be drawn for the deficiency but not in greater amount than is actually due when the draft is drawn.

The officer in charge of a consular post is required to pay the salaries of all subordinate officers, including Foreign Service officers assigned or detailed to the office, and employees, who should receipt therefor, from the fees received

at the post, if these are sufficient; if not, drafts may be drawn by the officer in charge to complete the payments.

Each account should be accompanied by a certificate as to absence, signed by the officer rendering the account, showing how many days he has been absent from his post and duty during the quarter or period covered by the account and whether by leave or otherwise, as prescribed on the back of Form 222.

Paragraph 577 is canceled.

Paragraph 604 is amended by striking out, in the section entitled "At inland consulates", the subsection numbered (5) relating to the register of landing certificates.

CALVIN COOLIDGE.

THE WHITE HOUSE,  
August 2, 1928.

A LIST OF THE COMMERCIAL TREATIES AND CONVENTIONS  
AND AGREEMENTS EFFECTED BY EXCHANGE OF NOTES OR DECLARATIONS, IN  
FORCE BETWEEN THE UNITED STATES AND OTHER COUNTRIES

*Corrected to August 1, 1928.<sup>1</sup>*

The following list includes those instruments which have as their chief purpose the regulation of commercial and general intercourse.

It does not include multipartite conventions or arrangements relating primarily to the Panama Canal, to patents, to trade-marks, to copyrights, to property rights or to fisheries; nor does it include arrangements which relate to the settlement of the World War. The treaties of the United States restoring friendly relations with Germany (signed August 25, 1921; proclaimed November 14, 1921) and establishing friendly relations with Austria (signed August 24, 1921; proclaimed November 17, 1921) and with Hungary (signed August 29, 1921; proclaimed December 20, 1921) by incorporating portions of the Treaties of Versailles, signed June 28, 1919, Saint-Germain-en-Laye, signed September 10, 1912, and Trianon signed June 4, 1920, respectively, reserved for the United States important rights of a commercial nature; but they are not primarily commercial treaties.

References in the list are to the Statutes at Large of the United States; Treaties, Conventions, International Acts, Protocols and Agreements between the United States of America and Other Powers, 3 volumes (Volumes 1 and 2, compiled by Malloy, Senate Document No. 357, 61st Congress, 2d Session, 1910, and Volume 3, Senate Document No. 348, 67th Congress, 4th Session, 1923) published by the Government Printing Office; Treaty Series issued singly in pamphlets by the Department of State; the Treaty Series published by the League of Nations; and the Foreign Relations of the United States.

The following abbreviations are used:

Stat. Statutes at Large of the United States.

For. Rel. Foreign Relations of the United States.

L. N. T. S. League of Nations Treaty Series.

ALBANIA. Agreement by exchange of notes under which most-favored-nation treatment

<sup>1</sup> Issued by the Department of State, Treaty Division. Ninth edition, superseding all previous editions.

is accorded to American interests. Signed June 23, 1922, June 25, 1922. Approved by the Albanian Parliament by Law effective December 28, 1925.

ARGENTINA. Treaty for the free navigation of the rivers Parana and Uruguay. Signed July 10, 1853. Ratifications exchanged December 20, 1854. Proclaimed April 9, 1855. (10 Stat. 1005; 18 Stat. Part 2 (Public Treaties), 15; 1 Treaties, Conventions, etc. 18; Treaty Series No. 3.)

ARGENTINA. Treaty of friendship, commerce and navigation. Signed July 27, 1853. Ratifications exchanged December 20, 1854. Proclaimed April 9, 1855. (10 Stat. 1005; 18 Stat. Part 2 (Public Treaties), 16; 1 Treaties, Conventions, etc. 20; Treaty Series No. 4.)

BELGIUM. Treaty of commerce and navigation. Signed March 8, 1875. Ratifications exchanged June 11, 1875. Proclaimed June 29, 1875. (19 Stat. 628; 1 Treaties, Conventions, etc. 90; Treaty Series No. 28.)

BELGIUM. Treaty and protocol regarding rights in East Africa. Signed April 18, 1923, and January 21, 1924. Ratifications exchanged November 18, 1924. Proclaimed December 6, 1924. (43 Stat. 1863; Treaty Series 704; XXXI L. N. T. S. 138 [No. 791].)

BOLIVIA. Treaty of peace, friendship, commerce and navigation. Signed May 13, 1858. Ratifications exchanged November 9, 1862. Proclaimed January 8, 1863. (12 Stat. 1003; 18 Stat. Part 2 (Public Treaties), 68; 1 Treaties, Conventions, etc. 113; Treaty Series No. 32.)

Article XXXIV abrogated as of July 1, 1916, under Act of Congress approved March 4, 1915 (Seamen's Act). (38 Stat. 1184; For. Rel. 1915, pages 6, 10 and 12.)

BORNEO. Convention of amity, commerce and navigation. Signed June 23, 1850. Ratifications exchanged July 11, 1853. Proclaimed July 12, 1854. (10 Stat. 909; 18 Stat. Part 2 (Public Treaties), 79; 1 Treaties, Conventions, etc. 130; Treaty Series No. 33.)

BRAZIL. Agreement effected by exchange of notes, according mutual unconditional most-favored-nation treatment in customs matters. Signed October 18, 1923. (Treaty Series No. 672.)

CHINA. Treaty of peace, amity and commerce. Signed July 3, 1844. Ratifications exchanged December 31, 1845. Proclaimed April 18, 1846. (8 Stat. 592; 18 Stat. Part 2 (Public Treaties), 116; 1 Treaties, Conventions, etc. 196; Treaty Series No. 45.)

In force except as modified by subsequent treaties.

CHINA. Treaty of peace, amity and commerce. Signed June 18, 1858. Ratifications exchanged August 16, 1859. Proclaimed January 26, 1860. (12 Stat. 1023; 18 Stat. Part 2 (Public Treaties), 129; 1 Treaties, Conventions, etc. 211; Treaty Series No. 46.)

Second sentence of Article XVIII abrogated as of July 1, 1916, under Act of Congress approved March 4, 1915 (Seamen's Act). (38 Stat. 1164, 1184; For. Rel. 1915, pages 6 and 10; For. Rel. 1916, page 37.)

Otherwise in force except as modified by subsequent treaties.

CHINA. Treaty of trade, consuls and emigration. (Additional articles to the treaty between the United States and China, of June 18, 1858.) Signed July 28, 1868. Ratifications exchanged November 23, 1869. Proclaimed February 5, 1870. (16 Stat. 739; 18 Stat. Part 2 (Public Treaties), 147; 1 Treaties, Conventions, etc. 234; Treaty Series No. 48.)

In force except as modified by subsequent treaties.

CHINA. Treaty as to commercial intercourse and judicial procedure. Signed November 17, 1880. Ratifications exchanged July 19, 1881. Proclaimed October 5, 1881. (22 Stat. 828; 1 Treaties, Conventions, etc., 237; Treaty Series No. 50.)

In force except as modified by subsequent treaties.

CHINA. Treaty on commercial relations. Signed October 8, 1903. Ratifications exchanged January 13, 1904. Proclaimed January 13, 1904. (33 Stat. 2208; 1 Treaties, Conventions, etc. 261; Treaty Series No. 430.)

CHINA. Treaty confirming application of a five per centum *ad valorem* rate of duty to importations of goods into China by citizens of the United States. Signed October 20, 1920.

Ratifications exchanged November 5, 1921. Proclaimed November 7, 1921. (42 Stat. 1955; 3 Treaties, Conventions, etc. 2518; Treaty Series No. 657.)

COLOMBIA. (New Granada.) Treaty of peace, amity, navigation and commerce. Signed December 12, 1846. Ratifications exchanged June 10, 1848. Proclaimed June 12, 1848. (9 Stat. 881; 18 Stat. Part 2 (Public Treaties), 550; 1 Treaties, Conventions, etc. 302; Treaty Series No. 54.)

Notice of abrogation of Article XXXIII as of July 1, 1916, given by the United States pursuant to Act of Congress approved March 4, 1915 (Seamen's Act). (38 Stat. 1164, 1184; For. Rel. 1915, pages 6 and 10.)

Acceptance of abrogation has not been received from Colombia.

COSTA RICA. Treaty of friendship, commerce and navigation. Signed July 10, 1851. Ratifications exchanged May 26, 1852. Proclaimed May 26, 1852. (10 Stat. 916; 18 Stat. Part 2 (Public Treaties), 159; 1 Treaties, Conventions, etc. 341; Treaty Series No. 62.)

COSTA RICA. Convention and protocol facilitating the work of traveling salesmen. Signed March 31, 1924. Ratifications exchanged June 24, 1924. Proclaimed June 26, 1924. (43 Stat. (Part 2), 1765; Treaty Series No. 688.)

CUBA. Commercial convention. Signed December 11, 1902. Ratifications exchanged March 31, 1903. Proclaimed December 17, 1903. (33 Stat. 2136; 1 Treaties, Conventions, etc. 353; Treaty Series No. 427.)

CZECHOSLOVAKIA. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed October 29, 1923. Effective November 5, 1923. (Treaty Series No. 673-A; LVI L. N. T. S. 271 (272) [No. 1335].)

Renewed by exchange of notes. Signed December 5, 1924. Ratified by Czechoslovakia January 25, 1926. (Treaty Series No. 705; LVI L. N. T. S. 271 (276) [No. 1335].)

DANZIG. See POLAND.

DENMARK. Convention of friendship, commerce and navigation. Signed April 26, 1826. Ratifications exchanged August 10, 1826. Proclaimed October 14, 1826. (8 Stat. 340; 18 Stat. Part 2 (Public Treaties), 167; 1 Treaties, Conventions, etc. 373; Treaty Series No. 65.)

Abrogated on April 15, 1856 and revived, except as to Article V, by Article V of the Convention discontinuing the sound dues, concluded April 11, 1857. Ratifications exchanged January 12, 1858. Proclaimed January 13, 1858. (11 Stat. 719; 18 Stat. Part 2 (Public Treaties), 173; 1 Treaties, Conventions, etc. 380; Treaty Series No. 67.)

DENMARK. Convention discontinuing sound dues. Signed April 11, 1857. Ratifications exchanged January 12, 1858. Proclaimed January 13, 1858. (11 Stat. 719; 18 Stat. Part 2 (Public Treaties), 173; 1 Treaties, Conventions, etc. 380; Treaty Series No. 67.)

DOMINICAN REPUBLIC. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed September 25, 1924. (Treaty Series No. 700.)

EGYPT. Agreement concerning commercial and customs regulations. Signed November 16, 1884. Proclaimed May 7, 1885. (24 Stat. 1004; 1 Treaties, Conventions, etc. 442; Treaty Series No. 81.)

ESTONIA. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed March 2, 1925. Ratification by Estonian Parliament notified to the Government of the United States, August 1, 1925. (Treaty Series No. 722; XLIII L. N. T. S. 289 [No. 1064].)

ESTONIA. Treaty of friendship, commerce and consular rights. Signed December 23, 1925. Ratifications exchanged May 22, 1926. Proclaimed May 25, 1926. (44 Stat. (Part 3), 2379; Treaty Series No. 736; L. L. N. T. S. 13 [No. 1197].)

ETHIOPIA. Treaty of commerce. Signed June 27, 1914. Proclaimed August 9, 1920. (41 Stat. 1711; 3 Treaties, Conventions, etc. 2578; Treaty Series No. 647.)

FINLAND. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed May 2, 1925. Government of

United States notified by Finnish Government of completion of legislative measures necessary for full operation, December 28, 1925. (Treaty Series No. 715; XLVII L. N. T. S. 351 [No. 1139].)

FINLAND. Agreement effected by exchange of notes, respecting tonnage dues and other charges. Signed December 21, 1925. (Treaty Series No. 731; XLVII L. N. T. S. 345 [No. 1138].)

FRANCE. Convention of navigation and commerce. Signed June 24, 1822. Ratifications exchanged February 12, 1823. Proclaimed February 12, 1823. (8 Stat. 278; 18 Stat. Part 2 (Public Treaties), 243; 1 Treaties, Conventions, etc. 521; Treaty Series No. 87.)

Article VI abrogated as of July 1, 1916, under Act of Congress of March 4, 1915 (Seamen's Act). (38 Stat. 1164, 1184; For. Rel. 1915, pages 6 and 10; For. Rel. 1916, page 39.)

FRANCE. Agreement modifying the provisions of Article VII of the convention of June 24, 1822. Signed July 17, 1919. Ratifications exchanged January 10, 1921. Proclaimed January 12, 1921. (41 Stat. 1723; 3 Treaties, Conventions, etc. 2594; Treaty Series No. 650.)

FRANCE. Treaty regarding rights in the Cameroons. Signed February 13, 1923. Ratifications exchanged June 3, 1924. Proclaimed July 3, 1924. (43 Stat. 1778; Treaty Series No. 690; XXVI L. N. T. S. 54 [No. 640].)

FRANCE. Treaty regarding rights in Togoland. Signed February 13, 1923. Ratifications exchanged June 3, 1924. Proclaimed July 3, 1924. (43 Stat. 1790; Treaty Series No. 691; XXVI L. N. T. S. 70 [No. 641].)

FRANCE. Convention regarding rights in Syria and the Lebanon. Signed April 4, 1924. Ratifications exchanged July 13, 1924. Proclaimed August 13, 1924. (43 Stat. 1821; Treaty Series No. 695.)

FRANCE. Provisional arrangement in regard to customs matters. Signed November 15, 1927. Effective November 21, 1927.

GERMANY. Treaty of friendship, commerce and consular rights. Signed December 8, 1923. Ratifications exchanged October 14, 1925. Proclaimed October 14, 1925. (44 Stat. (Part 3), 2132; Treaty Series No. 725; LII L. N. T. S. 133 [No. 1254].)

GREAT BRITAIN. Convention to regulate commerce. Signed July 3, 1815. Ratifications exchanged December 22, 1815. Proclaimed December 22, 1815. (8 Stat. 228; 18 Stat. Part 2 (Public Treaties), 292; 1 Treaties, Conventions, etc. 624; Treaty Series No. 110.)

Continued in force for ten years by Article IV of the Convention respecting fisheries, boundary and the restoration of slaves, concluded October 20, 1818. (8 Stat. 248; 18 Stat. Part 2 (Public Treaties), 297; 1 Treaties, Conventions, etc. 631; Treaty Series No. 112.)

Continued in force indefinitely by the commercial convention, concluded August 6, 1827. (8 Stat. 361; 18 Stat. Part 2 (Public Treaties), 311; 1 Treaties, Conventions, etc. 645; Treaty Series No. 117.)

GREAT BRITAIN. Commercial convention. Extending indefinitely the convention of July 3, 1815. Signed August 6, 1827. Ratifications exchanged April 2, 1828. Proclaimed May 15, 1828. (8 Stat. 361; 18 Stat. Part 2 (Public Treaties), 311; 1 Treaties, Conventions, etc. 645; Treaty Series No. 117.)

GREAT BRITAIN. Convention to adjust the question between the United States, Germany and Great Britain in respect to the Samoan Islands. Signed December 2, 1899. Ratifications exchanged February 16, 1900. Proclaimed February 16, 1900. (31 Stat. 1878; 2 Treaties, Conventions, etc. 1595; Treaty Series No. 314.)

The German rights and privileges under this treaty were terminated by the Treaty of Versailles, Article 288, incorporated into Treaty restoring friendly relations between the United States and Germany, signed August 25, 1921; ratifications exchanged November 11, 1921; proclaimed November 14, 1921. (42 Stat. (Part II, Public Treaties), 1939; 3 Treaties, Conventions, etc. 1596-3329; Treaty Series No. 658.)

GREAT BRITAIN. Treaty concerning the establishment of import duties in Zanzibar.

Signed May 31, 1902. Ratifications exchanged October 17, 1902. Proclaimed October 17, 1902. (32 Stat. 1959; 1 Treaties, Conventions, etc. 784; Treaty Series No. 414.)

GREAT BRITAIN. Treaty concerning light and harbor dues in Zanzibar. Signed June 5, 1903. Ratifications exchanged December 24, 1903. Proclaimed December 24, 1903. (33 Stat. 2172; 1 Treaties, Conventions, etc. 785; Treaty Series No. 429.)

GREAT BRITAIN. Declarations exempting commercial travelers' samples from customs inspection. Signed December 3, and 8, 1910. Effective January 1, 1911. (3 Treaties, Conventions, etc. 2626; Treaty Series No. 552.)

GREAT BRITAIN. Convention regarding rights in Palestine. Signed December 3, 1924. Ratifications exchanged December 3, 1925. Proclaimed December 5, 1925. (44 Stat. (Part 3), 2184; XLIII L. N. T. S. 41 [No. 1046]; Treaty Series No. 728.)

GREAT BRITAIN. Convention regarding rights in the Cameroons. Signed February 10, 1925. Ratifications exchanged July 8, 1926. Proclaimed July 12, 1926. (44 Stat. (Part 3), 2422; Treaty Series No. 743; LV L. N. T. S. 143 [No. 1310].)

GREAT BRITAIN. Convention regarding rights in East Africa. Signed February 10, 1925. Ratifications exchanged July 8, 1926. Proclaimed July 12, 1926. (44 Stat. (Part 3), 2427; Treaty Series No. 744; LV L. N. T. S. 119 [No. 1309].)

GREAT BRITAIN. Convention regarding rights in Togoland. Signed February 10, 1925. Ratifications exchanged July 8, 1926. Proclaimed July 12, 1926. (44 Stat. (Part 3), 2433; Treaty Series No. 745; LV L. N. T. S. 145 [No. 1311].)

GREECE. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed December 9, 1924. (Treaty Series No. 706.)

GUATEMALA. Convention facilitating the work of traveling salesmen. Signed December 3, 1918. Ratifications exchanged August 25, 1919. Proclaimed August 27, 1919. (41 Stat. 1669; 3 Treaties, Conventions, etc. 2670; Treaty Series No. 642.)

GUATEMALA. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed August 14, 1924. (Treaty Series No. 696.)

HAITI. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed July 8, 1926. (Treaty Series No. 746.)

HONDURAS. Treaty of friendship, commerce and consular rights. Signed December 7, 1927. Ratifications exchanged July 19, 1928. Proclaimed July 23, 1928. (Treaty Series No. 764.)

HUNGARY. Treaty of friendship, commerce and consular rights. Signed June 24, 1925. Ratifications exchanged September 4, 1926. Proclaimed October 4, 1926. (44 Stat. (Part 3), 2441; Treaty Series No. 748; LVIII L. N. T. S. 111 [No. 1369].)

ITALY. Treaty of commerce and navigation. Signed February 26, 1871. Ratifications exchanged November 18, 1871. Proclaimed November 23, 1871. (17 Stat. 845; 18 Stat. Part 2 (Public Treaties), 439; 1 Treaties, Conventions, etc. 969; Treaty Series No. 177.)

Article III amended by treaty concluded February 25, 1913. (38 Stat. 1669; 3 Treaties, Conventions, etc. 2099; Treaty Series No. 580.)

ITALY. Treaty amending Article III of the treaty of commerce and navigation of February 26, 1871. Signed February 25, 1913. Ratifications exchanged July 3, 1913. Proclaimed July 3, 1913. (38 Stat. 1669; 3 Treaties, Conventions, etc. 2699; Treaty Series No. 580.)

JAPAN. Treaty and protocol on commerce and navigation. Signed February 21, 1911. Ratifications exchanged April 4, 1911. Proclaimed April 5, 1911. (37 Stat. 1504; 3 Treaties Conventions, etc. 2712; Treaty Series No. 558.)

JAPAN. Treaty regarding rights of the United States and Japan and their respective nationals in former German islands in the Pacific Ocean north of the equator, and in particular the Island of Yap. Signed February 11, 1922. Ratifications exchanged July 13,

1922. Proclaimed July 13, 1922. (42 Stat. 2149; 3 Treaties, Conventions, etc. 2723; Treaty Series No. 664; XII L. N. T. S. 202 [No. 311].)

LATVIA. Provisional commercial agreement, according mutual unconditional most-favored-nation treatment in customs matters. Signed February 1, 1926. Ratification by Latvian Parliament notified to the Government of the United States, April 30, 1926. (Treaty Series No. 740; LV L. N. T. S. 33 [No. 1302].)

LATVIA. Treaty of friendship, commerce and consular rights. Signed April 20, 1928. Ratifications exchanged July 25, 1928. Proclaimed July 25, 1928. (Treaty Series No. 765.)

LIBERIA. Treaty of commerce and navigation. Signed October 21, 1862. Ratifications exchanged February 17, 1863. Proclaimed March 18, 1863. (12 Stat. 1245; 18 Stat. Part 2 (Public Treaties), 461; 1 Treaties, Conventions, etc. 1050; Treaty Series No. 195.)

LITHUANIA. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed December 23, 1925. Ratification by Lithuanian Seimas notified to the Government of the United States July 10, 1926. (Treaty Series No. 742; LIV L. N. T. S. 377 [No. 1300].)

MOROCCO. Treaty of peace and friendship. Signed September 16, and October 1, 1836. Proclaimed January 30, 1837. (8 Stat. 484; 18 Stat. Part 2 (Public Treaties), 521; 1 Treaties, Conventions, etc. 1212; Treaty Series No. 242-2.)

MUSCAT. Treaty of amity and commerce. Signed September 21, 1833. Ratifications exchanged September 30, 1835. Proclaimed June 24, 1837. (8 Stat. 458; 18 Stat. Part 2 (Public Treaties), 528; 1 Treaties, Conventions, etc. 1228; Treaty Series No. 247.)

THE NETHERLANDS. Commercial convention. Signed August 26, 1852. Ratifications exchanged February 25, 1853. Proclaimed February 26, 1853. (10 Stat. 982; 18 Stat. Part 2 (Public Treaties), 544; 2 Treaties, Conventions, etc. 1248; Treaty Series No. 252.)

NICARAGUA. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed June 11, 1924, and July 11, 1924. (Treaty Series No. 697.)

NORWAY. Treaty of commerce and navigation, concluded with Sweden and Norway. Signed July 4, 1827. Ratifications exchanged January 18, 1828. Proclaimed January 19, 1828. (8 Stat. 346; 18 Stat. Part 2 (Public Treaties), 736; 2 Treaties, Conventions, etc. 1748; Treaty Series No. 348.)

Abrogated as to Sweden, February 4, 1919, on notice given on February 4, 1918, under Act of Congress approved March 4, 1915 (Seamen's Act). (38 Stat. 1164, 1184; For. Rel. 1915, pages 6 and 10.)

Articles XIII and XIV abrogated as to Norway on July 1, 1916, under Act of Congress approved March 4, 1915 (Seamen's Act). (38 Stat. 1164, 1184; For. Rel. 1915, pages 6 and 10.)

OTTOMAN EMPIRE. See TURKEY.

PANAMA. Convention facilitating the work of traveling salesmen. Signed February 8, 1919. Ratifications exchanged December 8, 1919. Proclaimed December 10, 1919. (41 Stat. 1696; 3 Treaties, Conventions, etc. 2780; Treaty Series No. 646.)

PARAGUAY. Treaty of friendship, commerce and navigation. Signed February 4, 1859. Ratifications exchanged March 7, 1860. Proclaimed March 12, 1860. (12 Stat. 1087; 18 Stat. Part 2 (Public Treaties), 594; 2 Treaties, Conventions, etc. 1364; Treaty Series No. 272.)

PARAGUAY. Convention facilitating the work of traveling salesmen. Signed October 20, 1919. Ratifications exchanged March 22, 1922. Proclaimed April 28, 1922. (42 Stat. 2128; 3 Treaties, Conventions, etc. 2791; Treaty Series No. 662.)

PERSIA. Provisional agreement relating to commercial and consular rights. Signed May 14, 1928. Effective retroactively from May 10, 1928.

PERU. Convention and protocol facilitating the work of traveling salesmen. Signed January 19, 1923. Ratifications exchanged July 8, 1924. Proclaimed July 18, 1924. (43 Stat. 1802; 3 Treaties, Conventions, etc. 2800; Treaty Series No. 692.)

POLAND. (Including Danzig.) Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed February 10, 1925. Ratified by Poland September 14, 1925. Formally accepted by Danzig May 7, 1926. Declaration of Government of Poland regarding extension on August 26, 1925, to Danzig, December 23, 1926. (Treaty Series No. 727; XXXVII L. N. T. S. 142 [No. 953].)

PORUGAL. Commercial agreement effected by exchange of notes. Signed June 28, 1910. (For. Rel. 1910, page 828; 3 Treaties, Conventions, etc. 2805; Treaty Series No. 514½.)

RUMANIA. Agreement effected by exchange of notes according mutual unconditional most-favored-nation treatment in customs matters. Signed February 26, 1926. (Treaty Series No. 733; LI L. N. T. S. 59 [No. 1221].)

SALVADOR. Convention facilitating the work of traveling salesmen. Signed January 28, 1919. Ratifications exchanged January 18, 1921. Proclaimed January 22, 1921. (41 Stat. 1725; 3 Treaties, Conventions, etc. 2826; Treaty Series No. 651.)

SAMOA. See GREAT BRITAIN.

SERBIA. (Kingdom of the Serbs, Croats and Slovenes.) Treaty for facilitating and developing commercial relations. Signed October 2/14, 1881. Ratifications exchanged November 15, 1882. Proclaimed December 27, 1882. (22 Stat. 963; 2 Treaties, Conventions, etc. 1613; Treaty Series No. 319.)

SIAM. Treaty and protocol revising hitherto existing treaties. Signed December 16, 1920. Ratifications exchanged September 1, 1921. Proclaimed October 12, 1921. (42 Stat. 1928; 3 Treaties, Conventions, etc. 2829; Treaty Series No. 655; VI L. N. T. S. 292 [No. 161].)

SPAIN. Treaty of friendship and general relations. Signed July 3, 1902. Ratifications exchanged April 14, 1903. Proclaimed April 20, 1903. (33 Stat. 2105; 2 Treaties, Conventions, etc. 1701; Treaty Series No. 422.)

Articles XXIII and XXIV abrogated as of July 1, 1916, in so far as in conflict with Act of Congress approved March 4, 1915 (Seamen's Act). (38 Stat. 1164, 1184; For. Rel. 1915, pages 6 and 10.)

SPAIN. Commercial agreement effected by Royal Decree of Spanish Government of May 25, 1927, in force on publication in *Gaceta de Madrid*, May 26, 1927. Extended indefinitely from November 27, 1927, by exchange of notes October 26, 1927, and November 7, 1927. (Treaty Series No. 758-A.)

SWITZERLAND. Convention of friendship, commerce and extradition, etc. Signed November 25, 1850. Ratifications exchanged November 8, 1855. Proclaimed November 9, 1855. (11 Stat. 587; 18 Stat. Part 2 (Public Treaties), 748; 2 Treaties, Conventions, etc. 1763; Treaty Series No. 353.)

Articles VIII to XII, inclusive, terminated on March 23, 1900, on notice given by the United States on March 23, 1899. (For. Rel. 1899, page 740.)

Articles XIII to XVII, inclusive, were superseded on March 29, 1901, by the extradition treaty signed on May 14, 1900; ratifications exchanged February 27, 1901; proclaimed February 28, 1901. (31 Stat. 1928; 2 Treaties, Conventions, etc. 1771; Treaty Series No. 354.)

TURKEY. Treaty of commerce and navigation. Signed May 7, 1830. Ratifications exchanged October 5, 1831. Proclaimed February 4, 1832. (8 Stat. 408; 18 Stat. Part 2 (Public Treaties), 583; 2 Treaties, Conventions, etc. 1830; Treaty Series No. 267.)

TURKEY. Temporary agreement effected by exchange of notes reciprocally according, for six months from February 20, 1926, equality of treatment in customs matters. Signed February 17, 18, 1926. Extended to February 20, 1927, by exchange of notes July 20, 1926. Extended to February 20, 1928, and thereafter, tacitly, for three months, by exchange of notes, February 17, 1927. Extended for ten months and twenty days from May 20, 1928, by exchange of notes, May 19, 1928.

URUGUAY. Convention facilitating the work of traveling salesmen. Signed August 27,

1918. Ratifications exchanged August 2, 1919. Proclaimed August 11, 1919. (41 Stat. 1663; 3 Treaties, Conventions, etc. 2862; Treaty Series No. 640.)

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